

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - SE/S Falls Road, 2400' NE of the c/l of Mt. Carmel Road (17625 Falls Road) 5th Election District 3rd Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 89-478-SPHA

Alan W. Larson  
Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the non-density transfer and combination of approximately 14 acres zoned R.C. 2 with approximately 6 acres zoned R.C. 4 as one lot, and variances to permit existing accessory structures of 18, 35 and 27 feet in lieu of the maximum permitted height of 15 feet, and a accessory building to be located in the side yard in lieu of the required rear yard, all as more particularly described in Petitioner's Exhibit 1.

At the time of filing the Petition, James B. McDonald was the Contract Purchaser and did not own the property. At the time of the hearing, however, Mr. McDonald was the property owner and appeared and testified as the Petitioner. Mr. McDonald was represented by Robert A. Hoffman, Esquire. Also appearing on behalf of the Petition were William Turbert, a banking officer of Sparks State Bank, Farmer, and real estate appraiser of 20 years specializing in farm appraisals; Jim McKee and James Grammer with McKee & Associates; and Withers Davis, Contract Purchaser of Tracts A and B. The following individuals appeared as interested parties: Lisa Keir, Executive Director of the Valleys Planning Council; and Monty McCausland. There were no Protestants.

Testimony indicated that the subject property, known as 17625 Falls Road, consists of a total of 207.2217 acres more or less split zoned R.C. 2 and R.C. 4 as set forth on Petitioner's Exhibit 1. Evidence indicated that by deed dated January, 1989 and recorded among the Land Records of Baltimore County in Liber S.M., No. 8079, Folio 492, Alan W. Larson conveyed to James R. McDonald and Joan F. McDonald, his wife, Parcel 1, (See Petitioner's Exhibit 1). Tracts A and B, which are a part of Parcel 1, consist of 14.09 acres more or less zoned R.C. 2, and 5.95 acres more or less are zoned R.C. 4, respectively. Mr. McDonald testified that Tracts A and B will be conveyed to Withers Davis, Contract Purchaser, settlement on same being scheduled for shortly after the hearing in this matter. Tract B is improved with a dwelling, two barns, and two other farm buildings which are collectively being used for farming purposes. Mr. McDonald testified that Tract A is pasture land and that to the best of his information and knowledge, has been used as such for over one hundred years and will continue to be used as such in the future. Mr. Turbert testified that the hilly topography of Tract A renders the land unsuitable for tilling but stated that it was adequate for use as pasture. He further testified that the non-density transfer creates natural boundary lines which are consistent with the existing topography, thereby complimenting the proposed agricultural use of the subject property, specifically, pasture land. Mr. Davis testified that he is prepared to move his herd of cattle onto the property for grazing purposes upon approval of Petitioner's request.

Testimony presented explained in detail the planning reasons and rationale for the proposed reconfiguration of the aforementioned parcels. Petitioner's witnesses testified that the proposed reconfiguration would

have a positive impact on this agricultural zone; that said reconfiguration is within the spirit and intent of the zoning regulations, and is within the scope of the property's zoning classification as it will continue to promote the agricultural preservation of the property. Further, Mr. McDonald testified that he met with individuals who own property contiguous to the subject land and informed them of his intentions. He stated that the property owners voiced no objections to the Petitioner's plans and, to the contrary, encouraged the proposal as evidenced by Petitioner's Exhibit 5.

The R.C. 2 zone was established to curb urban intrusion into productive agricultural areas that not only destroys the specific area in which development occurs but tends to be incompatible with agricultural uses in the surrounding area (S Section 1A01.A.1.d of the Baltimore County Zoning Regulations (B.C.Z.R.)). Testimony and evidence presented indicated that the non-density transfer and combination of 14 acres more or less of R.C. 2 zoned property with 6 acres more or less of R.C. 4 zoned property was for the purpose of making the existing farm more productive, specifically, with regard to providing grazing for Mr. Davis' cattle. The plan set forth in Petitioner's Exhibit 1 will retain and foster conditions favorable to continued agricultural preservation and will not create any adverse impact on the health, safety or general welfare of the community.

With respect to Petitioner's request for a zoning variance, Petitioner argued and presented testimony that the structures in question and referenced on Petitioner's Exhibit 1 are farm use buildings and as such are exempt from Sections 400.1 and 400.3 of the B.C.Z.R. Petitioner opined that in view of this exemption the variance request is moot, and thereupon requested that the Petition for Zoning Variance be dismissed.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of June, 1989 that the Petition for Special Hearing to approve the non-density transfer and combination of approximately 14 acres zoned R.C. 2, known as Tract A, with approximately 6 acres zoned R.C. 4 as one lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Within sixty (60) days of the date of this Order Petitioners shall record among the Land Records of Baltimore County, new deeds relative to Tracts A and B, and Parcel 1 less Tracts A and B, referencing this case and its restrictions, and clearly establishing the fact that the relief granted herein is for a non-density transfer of the 14.09 acres, known as Tract A, for agricultural purposes only with no further development rights and no further subdivision of the 11.09 acres without a new public hearing. A copy of the recorded deeds shall be forwarded to the Zoning Commissioner's Office for inclusion in the case file.
- 3) On or before August 20, 1989 Petitioner shall submit for approval by the Deputy Zoning Commissioner and incorporation into the case file a new color-coded plot without topographic lines showing the resulting configuration of all the lands with property lines, building placements and notation of current landowners clearly marked thereon.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this

case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit existing accessory structures of 18, 35 and 27 feet in lieu of the maximum permitted height of 15 feet, and an accessory building to be located in the side yard in lieu of the required rear yard, be and is hereby DISMISSED.

ANN:bjz  
For Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(201) 887-3333

June 20, 1989

John B. Howard, Esquire  
Robert A. Hoffman, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE  
SE/S Falls Road, 2400' +/- NE of the c/l of M. Carmel Road  
(17625 Falls Road)  
5th Election District - 3rd Councilmanic District  
Alan W. Larson - Petitioner  
Case No. 89-478-SPHA

Dear Messrs. Howard and Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted and the Petition for Zoning Variance dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjz

cc: Ms. Lisa Keir, Executive Director  
Valleys Planning Council, P.O. Box 5402, Towson, Md. 21285-5402

People's Counsel

File

#### PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 600.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the non-density transfer and combination of approximately 14 acres of RC-2 zoned property with approximately 6 acres of RC-4 zoned property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
James R. McDonald  
(Type or Print Name)  
Signature  
16501 York Road  
Address  
Monkton, Maryland 21111  
City and State

Legal Owner(s):  
Alan W. Larson  
(Type or Print Name)  
Signature  
17625 Falls Road  
Address  
Upperco, Maryland 21155  
City and State

Attorney for Petitioner:  
John B. Howard, Esquire  
(Type or Print Name)  
Signature  
210 Allegheny Avenue  
Address  
Towson, Maryland 21204  
City and State

17625 Falls Road  
Address  
Upperco, Maryland 21155  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204 823-4111  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204 823-4111  
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 23rd day of May, 1989, at 11 o'clock.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

Z.C.O.-No.1

(over)

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.3 to permit accessory structures of 18, 35 and 27 feet in lieu of the maximum permitted 15 feet, if necessary, and Section 400.1 to permit an accessory building in the side yard in lieu of the required rear yard, if necessary.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
James R. McDonald  
(Type or Print Name)  
Signature  
17625 Falls Road  
Address  
Upperco, Maryland 21155  
City and State

Attorney for Petitioner:

John B. Howard, Esquire  
(Type or Print Name)  
Signature  
210 Allegheny Avenue  
Address  
Towson, Maryland 21204  
City and State

17625 Falls Road  
Address  
Upperco, Maryland 21155  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204 823-4111  
Address

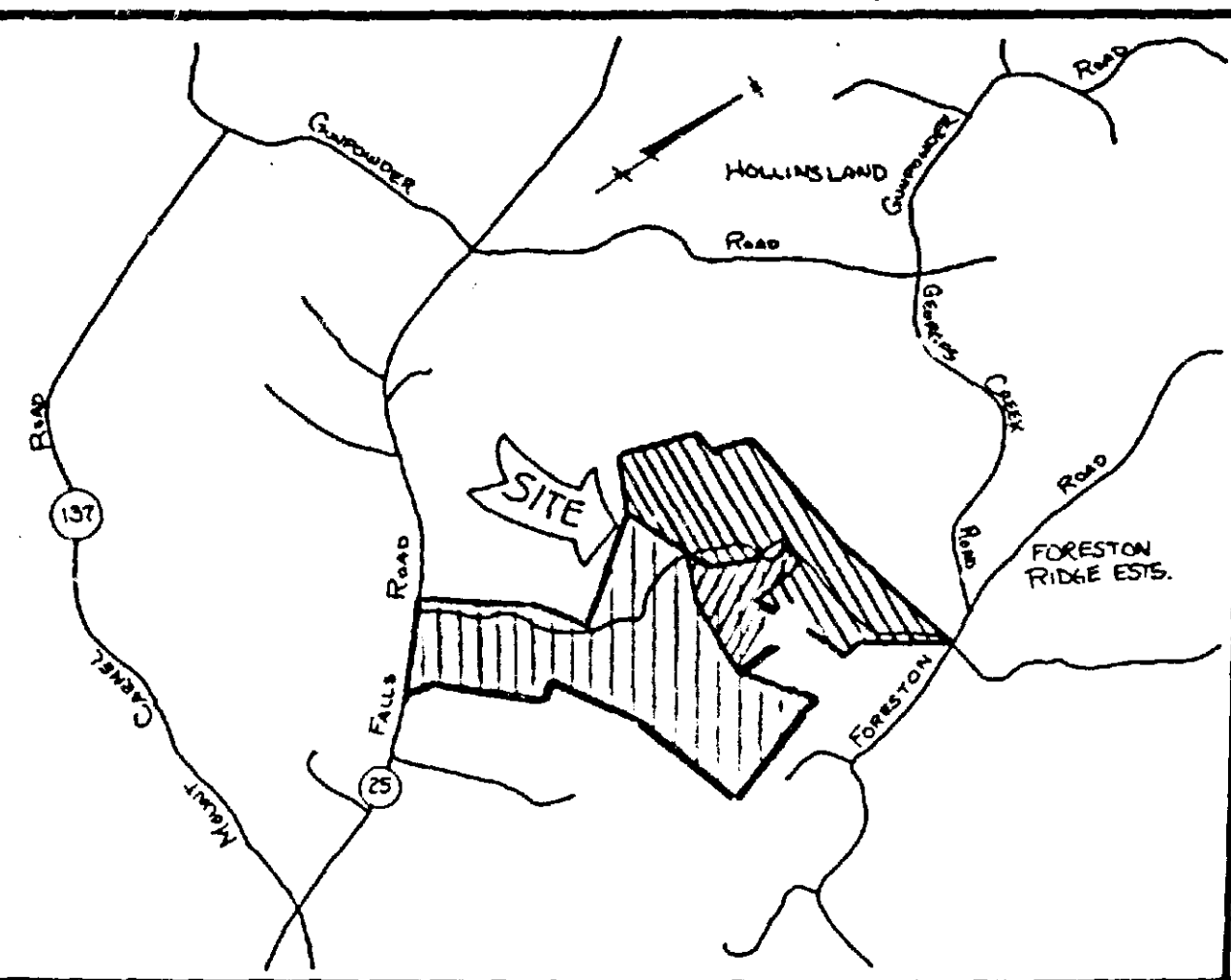
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204 823-4111  
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 23rd day of May, 1989, at 11 o'clock.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

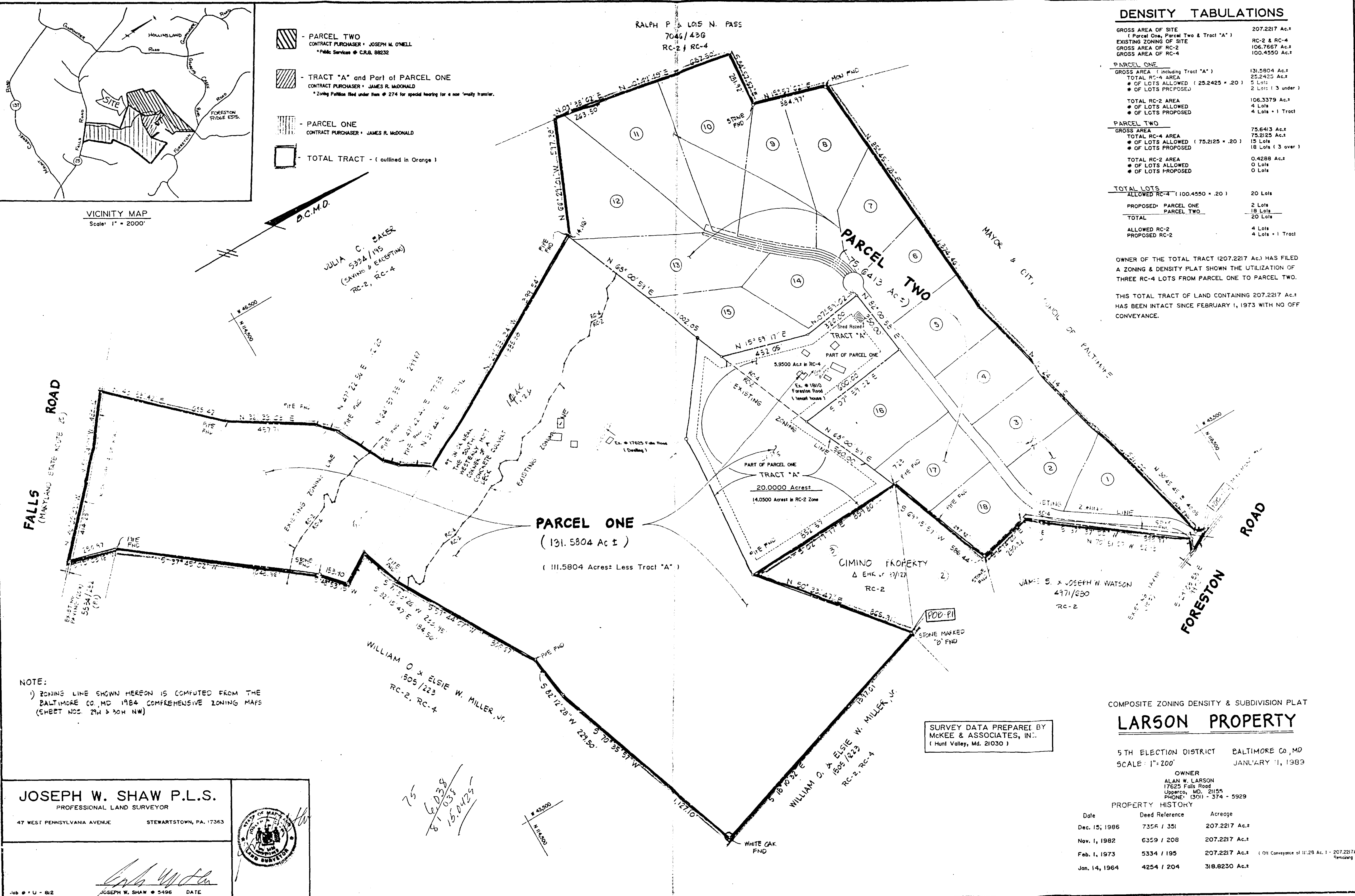
(over)





VICINITY MAP  
Scale: 1" = 2000'

- PARCEL TWO  
CONTRACT PURCHASER - JOSEPH M. O'NEILL  
\* Public Service - CUBA 88232
- TRACT "A" and Part of PARCEL ONE  
CONTRACT PURCHASER - JAMES R. McDONALD  
\* Zoning Petition filed under Item # 274 for special hearing for a new 'small' transfer.
- PARCEL ONE  
CONTRACT PURCHASER - JAMES R. McDONALD
- TOTAL TRACT - (outlined in Orange)



### DENSITY TABULATIONS

GROSS AREA OF SITE (Parcel One, Parcel Two & Tract "A")	207.2217 Ac.±
EXISTING ZONING OF SITE	RC-2 & RC-4
GROSS AREA OF RC-2	106.7667 Ac.±
GROSS AREA OF RC-4	100.4550 Ac.±
<b>PARCEL ONE</b>	
GROSS AREA (including Tract "A")	131.5804 Ac.±
TOTAL RC-4 AREA	25.2425 Ac.±
# OF LOTS ALLOWED (25.2425 ÷ .20)	5 Lots
# OF LOTS PROPOSED	2 Lots (1 over 1)
TOTAL RC-2 AREA	106.3379 Ac.±
# OF LOTS ALLOWED	4 Lots
# OF LOTS PROPOSED	4 Lots + 1 Tract
<b>PARCEL TWO</b>	
GROSS AREA	75.6413 Ac.±
TOTAL RC-4 AREA	75.2125 Ac.±
# OF LOTS ALLOWED (75.2125 ÷ .20)	15 Lots
# OF LOTS PROPOSED	18 Lots (3 over 1)
TOTAL RC-2 AREA	0.4288 Ac.±
# OF LOTS ALLOWED	0 Lots
# OF LOTS PROPOSED	0 Lots
<b>TOTAL LOTS</b>	
ALLOWED RC-4 (100.4550 ÷ .20)	20 Lots
PROPOSED PARCEL ONE	2 Lots
PROPOSED PARCEL TWO	18 Lots
TOTAL	20 Lots
ALLOWED RC-2	4 Lots
PROPOSED RC-2	4 Lots + 1 Tract

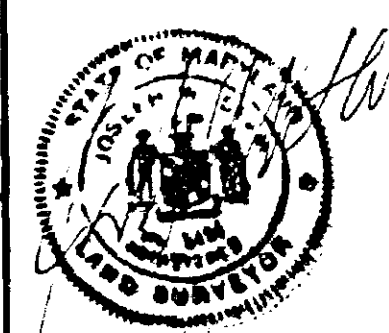
OWNER OF THE TOTAL TRACT (207.2217 Ac.) HAS FILED A ZONING & DENSITY PLAT SHOWN THE UTILIZATION OF THREE RC-4 LOTS FROM PARCEL ONE TO PARCEL TWO.

THIS TOTAL TRACT OF LAND CONTAINING 207.2217 Ac.± HAS BEEN INTACT SINCE FEBRUARY 1, 1973 WITH NO OFF CONVEYANCE.

NOTE:  
1) ZONING LINE SHOWN HEREON IS COMPUTED FROM THE BALTIMORE CO., MD 1984 COMPREHENSIVE ZONING MAPS (SHEET NOS. 29H & 30H NW)

JOSEPH W. SHAW P.L.S.  
PROFESSIONAL LAND SURVEYOR

47 WEST PENNSYLVANIA AVENUE STEWARTSTOWN, PA. 17363



SURVEY DATA PREPARED BY  
McKEE & ASSOCIATES, INC.  
(Hunt Valley, Md. 21030)

### COMPOSITE ZONING DENSITY & SUBDIVISION PLAT

### LARSON PROPERTY

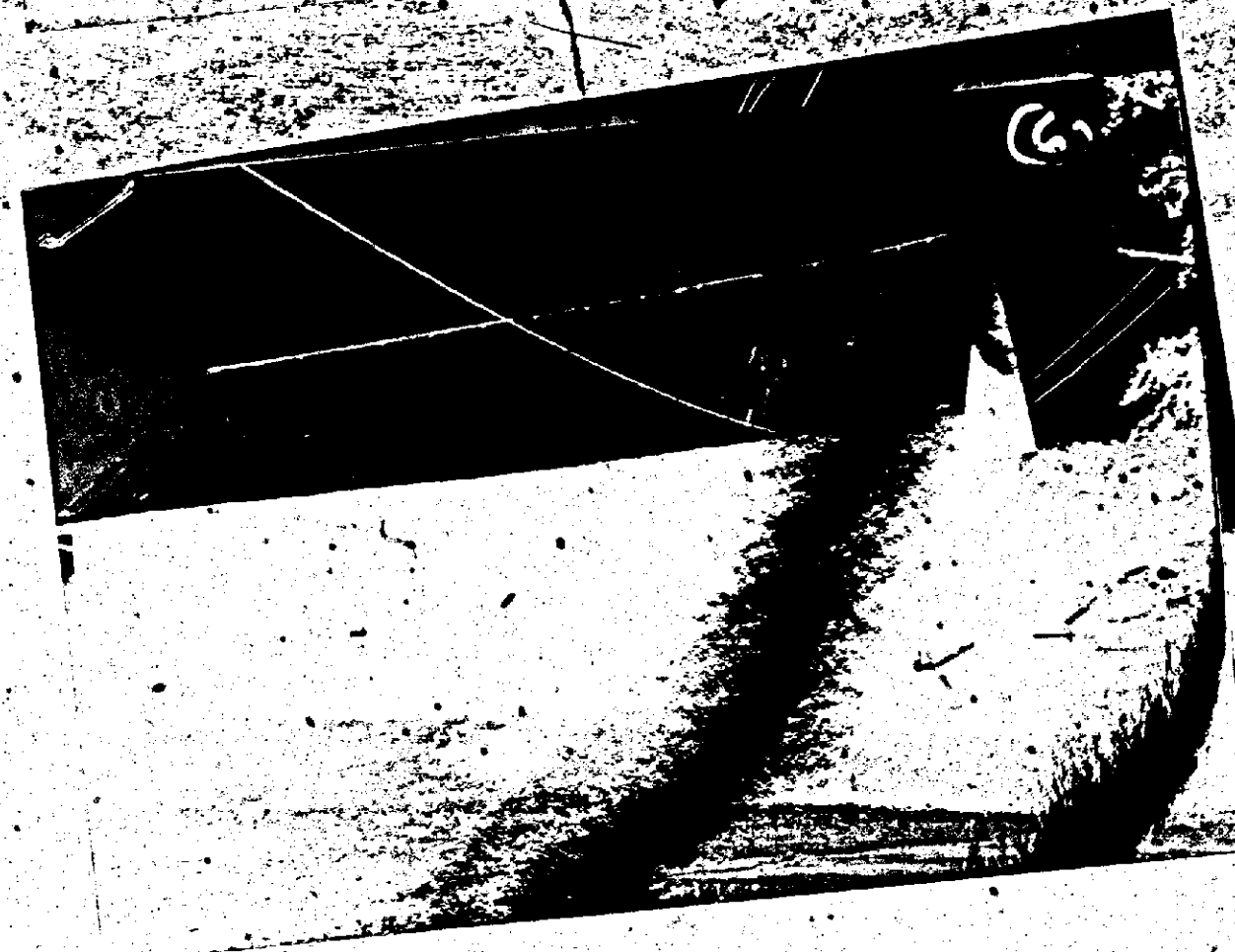
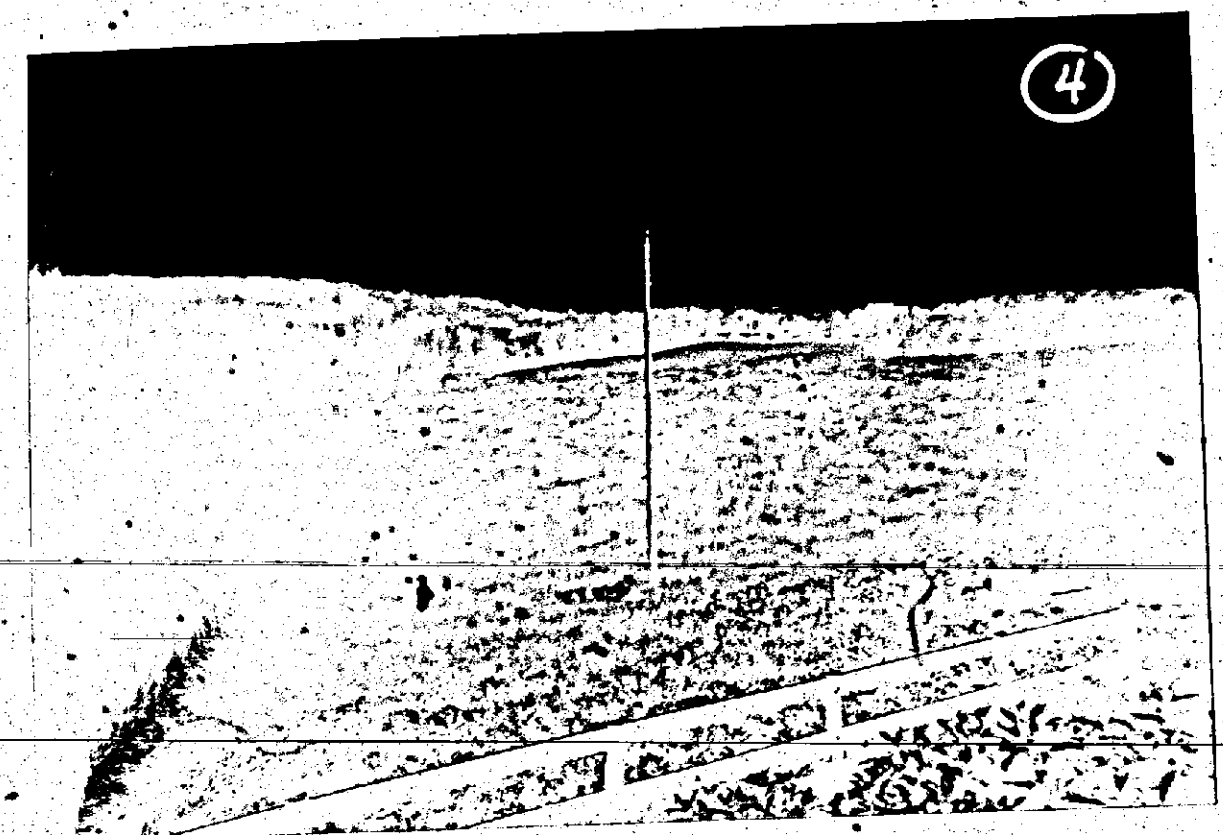
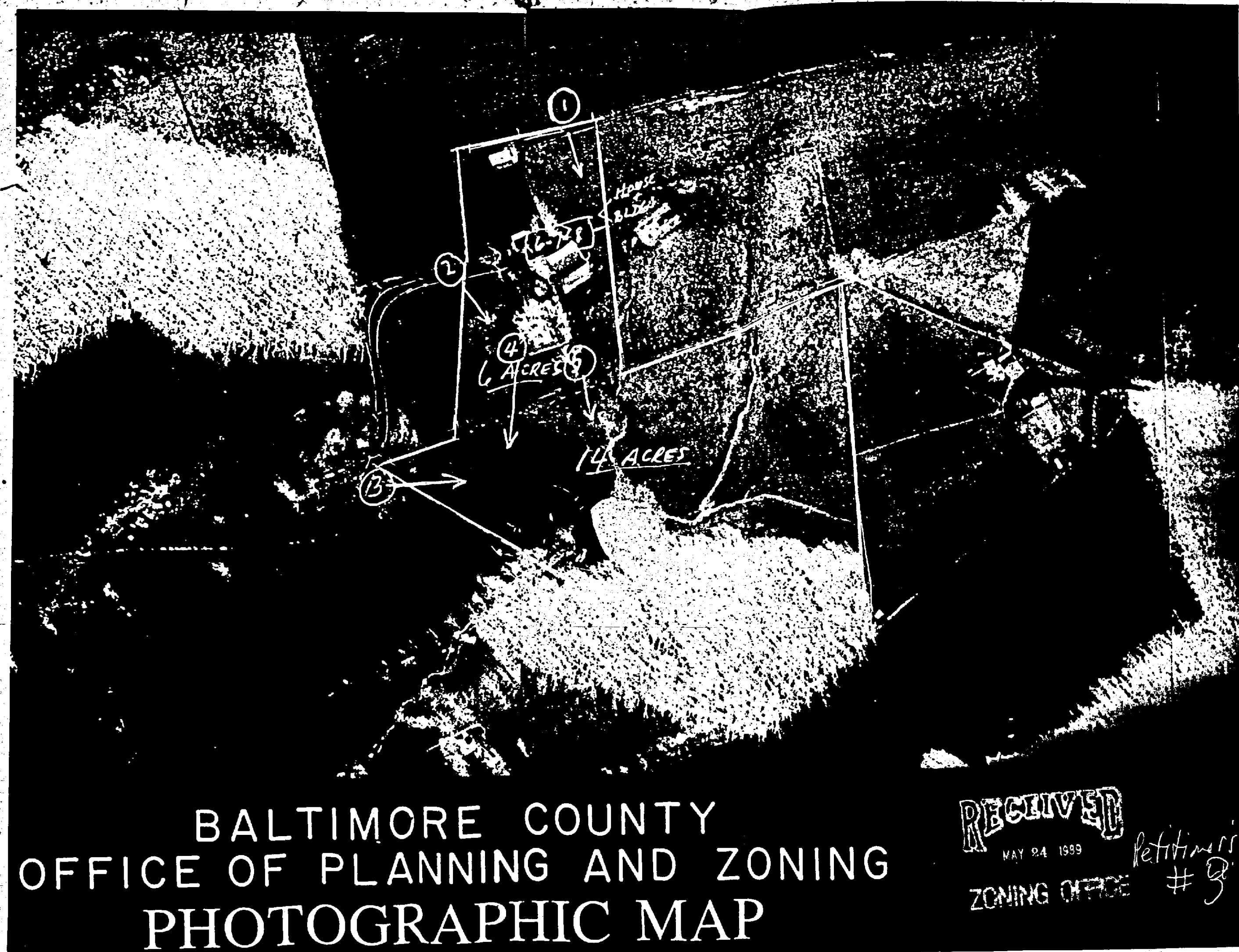
5TH ELECTION DISTRICT BALTIMORE CO., MD  
SCALE: 1" = 200' JANUARY 11, 1983

OWNER  
ALAN W. LARSON  
17625 Falls Road  
Upperco, MD. 21155  
PHONE: (301) - 374 - 5929

### PROPERTY HISTORY

Date	Deed Reference	Acreage
Dec. 15, 1986	7356 / 351	207.2217 Ac.±
Nov. 1, 1982	6359 / 208	207.2217 Ac.±
Feb. 1, 1973	5334 / 195	207.2217 Ac.± (Off Conveyance of 11/28 Ac. ± - 207.2217A Remaining)
Jan. 14, 1964	4254 / 204	318.8230 Ac.±







274

DESCRIPTION OF 131.5804 ACRES ±  
PARCEL ONE LARSON PROPERTY  
FIFTH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point in the center of Falls Road at a distance of 2,400 feet ± northeasterly from the center of Mt. Carmel Road; thence running North 45° 00' 39" East 418.25 feet; thence North 51° 24' 09" East 403.95 feet; thence North 43° 58' 42" East 655.42 feet; thence North 32° 33' 03" East 457.71 feet; thence North 47° 22' 56" East 112.20 feet; thence North 64° 57' 35" East 299.67 feet; thence North 29° 58' 34" East 77.88 feet; thence North 31° 44' 21" East 175.92 feet; thence North 10° 05' 59" East 1385.38 feet; thence North 68° 00' 59" East 1002.05 feet; thence North 17° 17' East 425.05 feet; thence North 07° 59' 02" East 320.00 feet; thence North 82° 00' 58" East 350.00 feet; thence South 07° 59' 02" East 600.00 feet; thence North 68° 00' 59" East 560.00 feet; thence South 02° 19' 17" East 852.57 feet; thence North 59° 33' 47" East 865.91 feet; thence South 18° 10' 32" East 1197.01 feet; thence South 70° 35' 57" West 1127.10 feet; thence South 82° 28' West 229.50 feet; thence South 59° 44' 07" West 806.67 feet; thence South 71° 53' 26" West 233.95 feet; thence South 32° 15' 47" East 184.56 feet; thence South 48° 53' 15" West 153.90 feet; thence South 37° 45' 02" West 1048.96 feet; thence South 19° 03' 18" West 250.97 feet to the point of beginning, containing 131.5804 acres of land, more or less.

January 3, 1989

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Bob Hoffman	210 Allegheny Ave
Jim McCasland (ID)	1601 Gage Rd. Monkton MD
JAMES GRAMMER	17226 Falls Rd. Towson MD 21285-542
John A. Taylor	17226 Falls Rd. Towson MD 21285
Jim McKen	McKen & Price, Inc. S. Shawan Rd.
William Davis	1918 OAKWOOD RD. FOLKERS MD 21053

RE: PETITION FOR SPECIAL HEARING AND VARIANCE : BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
C/L Mt. Carmel Rd. (17625 Falls Rd.), 5th Election District :  
ALAN W. LARSON, Petitioner : Case No. 89-478-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 304, County Office Building  
Towson, Maryland 21204  
887-2188

I HEREBY CERTIFY that on this 16th day of May, 1989, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and James R. McDonald, 16501 York Rd., Monkton, MD 21111, Contract Purchaser.

Peter Max Zimmerman  
Peter Max Zimmerman

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 5th Date of Posting: May 3, 1989  
Posted for: Special Hearing & Variance  
Petitioner: Alan W. Larson, Legal owner  
Location of property: 21015 Falls Road, 5th Election District, Mt. Carmel Rd. & Falls Road  
Location of Sign: Two signs on W. side of Falls Road, front of subject property, 1/2 sign on S.E. corner of Falls Road front of subject property.  
Remarks: If subject property.  
Posted by: J. Robert Haines Date of return: May 5, 1989  
Number of Signs: 4

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 1, 1989  
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 27, 1989.

THE JEFFERSONIAN  
TOWSON TIMES,  
S. Zerbe Publisher

PO 11993  
reg. M28925  
89-478-SPHA  
price \$ 114.34

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

James R. McDonald  
16501 York Road  
Monkton, Maryland 21111

Re: Petitions for Special Hearing and Zoning Variance  
CASE NUMBER: 89-478-SPHA  
SES Falls Road, 2,400 ft. ± NE of c/l Mt. Carmel Road  
17625 Falls Road  
5th Election District - 3rd Councilmanic  
Legal Owner: Alan W. Larson  
Contract Purchaser: James R. McDonald  
HEARING SCHEDULED: TUESDAY, MAY 23, 1989 at 11:00 a.m.

Gentlemen:

Please be advised that \$174.34 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204, fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE: 5/24/89 ACCOUNT: PC-615-000  
AMOUNT: \$ 174.34  
RECEIVED FROM: J. Robert Haines (Larson/McDonald) inc  
FOR: P.A. for 5/23/89 Hearing 89-478-SPHA per of  
B 8 517 \*\*\*\*\* 174340 064F  
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

April 17, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance  
CASE NUMBER: 89-478-SPHA  
SES Falls Road, 2,400 ft. ± NE of c/l Mt. Carmel Road  
17625 Falls Road  
5th Election District - 3rd Councilmanic  
Legal Owner: Alan W. Larson  
Contract Purchaser: James R. McDonald  
HEARING SCHEDULED: TUESDAY, MAY 23, 1989 at 11:00 a.m.

Variance: To permit accessory structures of 18, 35 and 27 ft. in lieu of the maximum permitted 15 ft., if necessary, and to permit an accessory building in the side yard in lieu of the required rear yard, if necessary.  
Special Hearing: The non-density transfer and continuation of approximately 14 acres of RC-2 zoned property with approximately 6 acres of RC-2 zoned property as one lot.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Alan W. Larson  
James R. McDonald  
John B. Howard, Esq.  
File

Joseph W. Shaw  
PROFESSIONAL LAND SURVEYOR  
P.S.L.S. - FELLOW A.C.S.M. - N.S.P.S.  
47 West Pennsylvania Avenue  
STEWARTSTOWN, PA 17383  
Phone: (717) 993-3102

January 11, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204

Attention: Mr. Carl Richards, J.  
Mr. John Lewis

RE: Larson Property, CRG comments  
1/20/89 from Zoning Office

Dear Mr. Haines,

In response to your staff's request this letter will give you the zoning density and subdivision history of the Larson/Hebb property. I am also including with this letter a composite plat showing the entire tract as it was on 11/25/79 and still is the same entire tract as of the date of this letter. The copies of the herein mentioned deeds confirming this fact are also enclosed.

The history of the Hebb property begins as follows:

Mr. and Mrs. Hebb, on 1/14/64, acquired 318.823 acres (Deed reference 4254/204)

On 2/1/73 Mr. and Mrs. Hebb conveyed 111.280 acres of the property (Deed reference 5334/195). This left Mr. and Mrs. Hebb with 207.543 acres.

On 1/1/82 Mr. Hebb conveyed his interest in this property and some of the other property he owned jointly with his wife to his wife. (Deed reference 6359/208-222. The 207.5 acre parcel starting on page 214)

On 12/15/86 the estate of the late Mrs. Hebb conveyed this property containing 207.5 acres in tact to Alan Larson (Deed reference 7356/351).

As of this date Mr. Larson still owns the entire 207.5 acres. Mr. and Mrs. Marty O'Neill are the contract purchasers of 75.6

Mr. J. Robert Haines  
January 11, 1989  
Page 2

acres and Mr. and Mrs. James McDonald are the contract purchasers of 131.9 acres, the balance of the Larson farm.

The attached plat shows the entire 207.5 acre tract shaded in orange as it was since 11/25/79 to this date. The plat also shows that 75.6 acres is to be called parcel two and is being processed through CRG. The plat shows parcel one containing the balance of 131.9 acres. Also shown in parcel one is a 20 acre portion of the property that is due a special hearing for a non-density transfer and combination of RC-2 and RC-4 lands. At this time there is a zoning and density transfer plat which has been submitted to the county for review.

Mr. Carl Richards from your office and Mr. Marty O'Neill have spoken concerning this entire matter. Mr. O'Neill will visit with Mr. John Lewis from your office, reviewing this letter, plat, and the deeds prior to hand delivering them to your office.

For your convenience please contact Marty O'Neill at (301) 329-6701 for any additional information. Or you may contact me at (717) 993-3102.

Sincerely,

Joseph W. Shaw  
Joseph W. Shaw  
Registered Land Surveyor  
Joseph M. O'Neill  
Contract Purchaser

JWS/lb

Enclosures

cc: Joseph M. O'Neill  
Carl Richards  
John Lewis  
file



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

March 3, 1989



Dennis F. Rasmussen  
County Executive

James D. Grammer, Project Manager  
McKee & Associates, Inc.  
Shawhan Place  
5 Shawhan Road  
Hunt Valley, MD 21030

RE: Petition for Special Hearing  
Larson-McDonald Property  
Item #274

Dear Mr. Grammer:

Per the County Review Group (C.R.G.) comments of W. Carl Richards, Zoning Coordinator, dated 1/20/89, all items must be addressed. Per a review of these petition site plans with Mr. Richards yesterday morning, all of these comments have not been addressed to date. Revised plans with all C.R.G. comments (use updated C.R.G. plans) must be submitted, as well as the latest Density Plans for the petition file.

If you have any questions, please do not hesitate to call me or Mr. Richards at 887-3391.

Very truly yours,

*J. Robert Haines*

John J. Sullivan, Jr.  
Planning & Zoning Associate III

JJS:scj

cc: Alan W. Larson  
James R. McDonald  
Robert A. Hoffman, Esquire  
Alice Malinowski  
Petition File

*History*

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
210 ALLEGHENY AVENUE  
P.O. BOX 5517

JAMES H. COOK  
JOHN B. HOWARD  
DAVID D. DOWNES  
DANIEL O. TRACY, JR.  
JOHN H. ZINK, III  
JOSEPH E. WICH, JR.  
HENRY B. PECK, JR.  
HERBERT R. OGDONCH, III  
FRANK F. HERTSCH  
MICHAEL E. LEAF  
THOMAS L. HUDSON  
C. CAREY DEELEY, JR.  
H. HIND HILL, III  
GEORGE K. REYNOLDS, III  
ROBERT A. HOFFMAN  
CYNTHIA M. HAHN

TOWSON, MARYLAND 21204

TOWSON (301) 823-4111

TELECOPIER (301) 821-0147

205 EAST BROADWAY

P.O. BOX B

BEL AIR, MARYLAND 21014

BEL AIR (301) 828-8664

BALTIMORE (301) 678-1551

DIRECT DIAL NUMBER

REPLY TO: TOWSON

March 22, 1989

JUDITH A. ARMOLD  
DEBORAH C. DODD  
KATHLEEN GALLOGLY, COK  
JOHN J. GESSNER  
J. MICHAEL BRENNAN  
H. BARRETT PETERSON, JR.  
JOSEPH F. SNEE, JR.  
KATHRYN L. KOTZ  
JAMES M. MARTIN  
NORTON B. FOWLER, III  
CHARLES R. WELLMAN  
HOWARD J. HANCOCK  
ELISABETH S. RUBIN  
MARK E. SMITH  
BRIAN A. BALCONSON  
JAMES D. C. DOWNES  
(1908-1979)

J. Robert Haines,  
Zoning Commissioner  
Baltimore County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Petition for Special Hearing for Parcel One,  
Larson Property  
Item No. 274

Dear Mr. Haines:

The following is a brief title history of the McDonald property, which contains approximately 131.58 acres and is the subject of the referenced hearing.

By a deed dated January 14, 1964, and recorded among the Land Records of Baltimore County in Liber RRG No. 4254, Folio 204, Joseph M. Gardner granted and conveyed a single parcel of land comprising 318.823 acres to Donald B. Hebb and Mathilde M. Hebb, his wife. This tract of land comprises the two parcels shown on the attached tax map as belonging to Julia C. Baker and Alan W. Larson, respectively.

J. Robert Haines,  
Zoning Commissioner  
March 22, 1989  
Page 2

By a deed dated February 1, 1973, and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 5334, Folio 195, Donald B. Hebb and Mathilde M. Hebb, his wife, conveyed a tract of land containing 111.280 acres in one meter and bounds description to Julia C. Baker. This parcel is designated on the map as the Julia C. Baker parcel.

By a deed dated January 1, 1982, and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6359, Folio 208, Donald B. Hebb conveyed all his right, title and interest in the remaining 207.22 acres, more or less, parcel to his wife, Mathilde M. Hebb. Mathilde M. Hebb departed this life on or about April 16, 1982, and by her last will and testament and codicil thereto appointed Donald B. Hebb, Jr. and Harriet H. Notzon as Personal Representatives of her estate.

By a deed dated December 15, 1986, and recorded among the Land Records of Baltimore County in Liber SM No. 7356, Folio 351, Donald B. Hebb, Jr. and Harriet H. Notzon, Personal Representatives of the Estate of Mathilde M. Hebb, conveyed the remaining 207.22 acres of the original 318.823 acre parcel to Alan W. Larson.

By a deed dated January 17, 1989, and recorded among the Land Records of Baltimore County in Liber S.M., No. 8079, Folio 492, Alan W. Larson conveyed a portion of the 207.22 acre parcel, consisting of 131.58 acres, more or less, to James R. McDonald and Joan F. McDonald, his wife. By a deed dated January 18, 1989, and recorded among the Land Records of Baltimore County in Liber S.M., No. 8081, Folio 520, Alan W. Larson conveyed the remaining portion of the 207.22 acre parcel, consisting of 75.6413 acres, more or less, to Joseph M. O'Neill and Mary Anne O'Neill, his wife.

Donald B. Hebb and Mathilde M. Hebb, his wife, also own several parcels of land on the southwest side of Falls Road which are currently designated as Parcel Nos. 6 and 7 on the State tax map. These parcels are, apparently, described as Parcel Nos. 4 through 7 in the aforementioned deed from Donald B. Hebb to Mathilde M. Hebb, recorded in Liber EHK, Jr. No. 6359, Folio 208. Due to the complexity of the legal descriptions of these parcels an analysis of their title history has been omitted. However, any such parcels on the southwest side of Falls Road

J. Robert Haines,  
Zoning Commissioner  
March 22, 1989  
Page 3

have traded independently of the Larson and Baker tracts since at least the year 1964.

Very truly yours,  
*J. Paul Rieger, Jr.*  
J. Paul Rieger, Jr.  
Legal Assistant

JPR:bw  
cc: Robert A. Hoffman, Esquire

A-17 RURAL ACCESSORY USES  
Reference S. 400, 101, 404.2  
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Paul Solomon  
Department of Environmental Protection  
and Resource Management  
FROM: Mr. J. Robert Haines, Zoning Commissioner  
111 W. Chesapeake Ave., Towson, Maryland

Date: March 30, 1989

RECEIVED  
MAY 24 1989

SUBJECT: REDUCED ACREAGE FARM

Election District: 5  
Owner: James R. McDonald  
Address: 17625 Falls Road  
Upperco, Maryland 21155  
Phone: 337-5500  
Tax Account Number: 17625 Falls Road  
Upperco, Maryland 21155

Pursuant to the Zoning Commissioner's policy A-17, this office is officially requesting verification of the legitimacy of a farm use to continue on the reduced acreage on the referenced property. In the judgment of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

1. the signed and notarized tenant affidavit
2. the deed to the property
3. the state tax map for that area.

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REDUCED ACREAGE

☒ Yes ☐ No ☐ Comment: The reduced acreage is shown on Exhibit #3 (Petitioner's) and includes 20+ acres.  
P/S 6/24/89

Signed: *Paul J. Solomon*  
Representative of the Agricultural  
Land Preservation Board for  
Baltimore County

Date: 5/17/89  
Petitioner's Exhibit #3

LIBER 6359 PAGE 208

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION  
DEED  
1482  
DATE

THIS DEED, made this 1st day of January 1982,  
by and between DONALD B. HEBB, party of the first part  
("Grantor"), and MATHILDE M. HEBB, party of the second part  
("Grantee").

WHEREAS, Grantor and Grantee are the owners, as  
tenants by the entireties, of certain properties located in  
Baltimore County, Maryland, more fully described in Exhibit  
A attached hereto as a part hereof;

WHEREAS, Grantor desires to convey unto Grantee  
for no actual consideration all of Grantor's right, title and  
interest in said properties, to the purpose and effect that  
Grantee shall be the sole owner of said properties, free and  
clear of any right, title, interest or claim of Grantor therein.

NOW, THEREFORE, THIS DEED WITNESSETH THAT, for  
and in consideration of the premises, and other good and  
valuable consideration, the receipt and sufficiency of which  
are hereby acknowledged, Grantor does hereby grant, convey  
and assign unto Grantee, her heirs, personal representatives  
and assigns, in fee simple, all of Grantor's right, title  
and interest in and to the properties described in Exhibit  
A attached hereto as a part hereof.

TOGETHER WITH the buildings and improvements  
thereupon; and the rights, alleys, ways, waters, privileges,  
appurtenances and advantages to the same belonging or in  
appurtenances.

TO HAVE AND TO HOLD the said described property  
and premises unto and to the use of said Grantee, her  
heirs, personal representatives and assigns, in fee simple.

AND the said Grantor covenants to warrant specially

TRANSFER TAX NOT REQUIRED

William F. Lafferty  
Acting Director of Finance

Part: *James R. McDonald*  
Authorized Signature

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE  
SIGNATURE: *J.R. McDonald* DATE: 1-4-82

THE TITLE GUARANTEE COMPANY  
(Individual Form)  
App. H-79291

LIBER 5334 PAGE 195

This Deed, Made this 1st day of February, 1982, in the year one  
thousand nine hundred and eighty-two, by and between DONALD B. HEBB and  
MATHILDE M. HEBB, his wife, parties of the first part, Grantors, and JULIA C. BAKER,  
party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the  
receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the  
said Grantee, her heirs and assigns, in fee simple, all that ----- lot(s) of ground  
situate in the Fifth Election District of Baltimore County,

in the State of Maryland, and described and defined as follows according to a survey prepared by  
C.A. Myers, Registered Surveyors, dated January 8, 1973, described as follows, that is to say:

BEGINNING for the same at a point in or near the centerline of the present road-bed  
of Falls Road at the end of the North 42 degrees 23 minutes 02 seconds West 494.19 foot  
line as described in a Deed from Joseph M. Gardiner, divorced, to Donald B. Hebb and wife,  
dated January 14, 1964, and recorded among the Land Records of Baltimore County in Liber  
R.R.G. No. 4254, Folio 204, etc., thence binding on that Deed and running in or near the  
center of Falls Road the six following lines as now surveyed, North 43 degrees 10 minutes  
37 seconds West 225.00 feet, thence by a curve with a radius of 2814.20 feet, an arc of 349.50  
feet and chord of North 46 degrees 44 minutes 07 seconds West 349.30 feet, thence North 50  
degrees 17 minutes 37 seconds West 311.00 feet, thence by a curve with a radius of 761.50  
feet, an arc of 353.50 feet and a chord of North 63 degrees 35 minutes 37 seconds West 350.37  
feet, thence North 76 degrees 53 minutes 37 seconds East 76.50 feet, and thence by a curve  
with a radius of 995.30 feet, an arc of 312.80 feet and a chord of North 66 degrees 53  
minutes 07 seconds West 311.22 feet, thence leaving the center of Falls Road and still binding  
on the aforementioned Deed the seven following lines, North 08 degrees 43 minutes 15  
seconds West 786.21 feet to a stone, North 37 degrees 57 minutes East 1236.75 feet to a  
flint stone, South 52 degrees 37 minutes 26 seconds East 634.74 feet to a stone, North  
08 degrees 22 minutes 30 seconds East 68.00 feet, North 41 degrees 07 minutes 30 seconds  
East 331.00 feet to a pipe, South 51 degrees 52 minutes 30 seconds East 406.00 feet to a  
pipe and North 07 degrees 36 minutes East 330.57 feet to a pipe, thence by eight lines of  
division as now surveyed, South 57 degrees 28 minutes 50 seconds East 297.38 feet to a  
pipe, South 20 degrees 55 minutes 45 seconds East 1399.54 feet to a pipe, South 40 degrees  
33 minutes 20 seconds West 175.92 feet to a pipe, South 56 degrees 52 minutes 50 seconds  
West 77.90 feet to a pipe, South 73 degrees 59 minutes West 259.77 feet to a pipe, South  
56 degrees 18 minutes 30 seconds West 112.36 feet to a pipe, South 41 degrees 34 minutes  
15 seconds East 427.65 feet to a pipe and South 52 degrees 58 minutes 30 seconds West  
655.42 feet to a point in or near the center of Falls Road and to intersect the first above  
mentioned Deed line, thence binding on that Deed and running in the center of said road,  
North 42 degrees 23 minutes 02 seconds West 10.23 feet to the place of beginning, containing  
one hundred and eleven acres and two hundred and eighty thousands of an acre (111.280)  
of land, more or less.

BEING a part of the same land described in a Deed from Joseph M. Gardiner, divorced,  
to Donald B. Hebb and Mathilde M. Hebb, his wife, dated January 14, 1964 and recorded among  
the Land Records of Baltimore County in Liber R.R.G. No. 4254, Folio 204, etc.

1268-2 2997.00

LIBER 4254 PAGE 204  
This Deed, Made this 1st day of January, 1982, in the year one thousand nine hundred and eighty-two, by and between  
DONALD B. HEBB and MATHILDE M. HEBB, his wife, parties of the first part, Grantors, and JULIA C. BAKER,  
party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars and other valuable  
considerations, the receipt of which is hereby acknowledged,  
the said Grantor does hereby grant, convey, and assign unto the  
said Grantee, her heirs and assigns, in fee simple, all that ----- lot(s) of ground,  
situate in the Fifth Election District of Baltimore County,

in the State of Maryland, and described and defined as follows, that is to say:

BEGINNING for the same at a point in or near the centerline of the present road-bed  
of Falls Road at the end of the North 42 degrees 23 minutes 02 seconds West 494.19 foot  
line as described in a Deed from Joseph M. Gardiner, divorced, to Donald B. Hebb and wife,  
dated January 14, 1964, and recorded among the Land Records of Baltimore County in Liber  
R.R.G. No. 4254, Folio 204, etc., thence binding on that Deed and running in or near the  
center of Falls Road the six following lines as now surveyed, North 43 degrees 10 minutes  
37 seconds West 225.00 feet, thence by a curve with a radius of 2814.20 feet, an arc of 349.50  
feet and chord of North 46 degrees 44 minutes 07 seconds West 349.30 feet, thence North 50  
degrees 17 minutes 37 seconds West 311.00 feet, thence by a curve with a radius of 761.50  
feet, an arc of 353.50 feet and a chord of North 63 degrees 35 minutes 37 seconds West 350.37  
feet, thence North 76 degrees 53 minutes 37 seconds East 76.50 feet, and thence by a curve  
with a radius of 995.30 feet, an arc of 312.80 feet and a chord of North 66 degrees 53  
minutes 07 seconds West 311.22 feet, thence leaving the center of Falls Road and still binding  
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flint stone, South 52 degrees 37 minutes 26 seconds East 634.74 feet to a stone, North  
08 degrees 22 minutes 30 seconds East 68.00 feet, North 41 degrees 07 minutes 30 seconds  
East 331.00 feet to a pipe, South 51 degrees 52 minutes 30 seconds East 406.00 feet to a  
pipe and North 07 degrees 36 minutes East 330.57 feet to a pipe, thence by eight lines of  
division as now surveyed, South 57 degrees 28 minutes 50 seconds East 297.38 feet to a  
pipe, South 20 degrees 55 minutes 45 seconds East 1399.54 feet to a pipe, South 40 degrees  
33 minutes 20 seconds West 175.92 feet to a pipe, South 56 degrees 52 minutes 50 seconds  
West 77.90 feet to a pipe, South 73 degrees 59 minutes West 259.77 feet to a pipe, South  
56 degrees 18 minutes 30 seconds West 112.36 feet to a pipe, South 41 degrees 34 minutes  
15 seconds East 427.65 feet to a pipe and South 52 degrees 58 minutes 30 seconds West  
655.42 feet to a point in or near the center of Falls Road and to intersect the first above  
mentioned Deed line, thence binding on that Deed and running in the center of said road,  
North 42 degrees 23 minutes 02 seconds West 10.23 feet to the place of beginning, containing  
one hundred and eleven acres and two hundred and eighty thousands of an acre (111.280)  
of land, more or less.



LIBER 356 PAGE 351

THIS DEED is made this 15th day of December, 1986, by and between DONALD B. HEBB, JR. and HARRIET H. NOTZON, Personal Representatives of the Estate of Mathilde M. Hebb, late of Baltimore County, deceased, parties of the first part; and ALAN W. LARSON, party of the second part.

WHEREAS, Mathilde M. Hebb departed this life on or about April 16, 1982, seized and possessed of the fee simple property hereinafter described, and leaving a Last Will and Testament and Codicil thereto, which has been duly admitted to probate by the Orphans' Court of Baltimore County and recorded in the Office of the Register of Wills for Baltimore County (Estate No. 50309), and

WHEREAS, the parties of the first part have been appointed Personal Representatives of the Estate of Mathilde M. Hebb and, in pursuance of the powers conferred upon them as Personal Representatives aforesaid, have sold said property unto the party of the second part for the sum of \$672,500.00.

NOW THEREFORE THIS DEED WITNESSETH that in consideration of the sum of \$672,500.00, which is the actual consideration paid or to be paid, the receipt whereof is hereby acknowledged, the parties of the first part, in exercise and pursuance of their powers, do hereby grant and convey unto the party of the second part, his personal representatives and assigns, in fee simple, all that parcel of land described in "Exhibit A", attached hereto and made a part hereof.

TOGETHER with the buildings thereupon erected and the rights, alleys, ways, waters, privileges, appurtenances, and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot or parcel of ground and premises unto and to the use of the said party of the second part, his personal representatives and assigns, in fee simple.

AND the said parties of the first part, the said Grantors, do hereby covenant that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

WITNESS:  
Sub M. 465  
DONALD B. HEBB, JR. (SEAL) D NOT 24.00  
Personal Representative D FY 3362.30  
D RES 3362.30  
HARRIET H. NOTZON (SEAL) D NOT 24.00  
Personal Representative D FY 3362.30  
D RES 3362.30  
STATE DEPARTMENT OF ASSESSMENTS & TAXATION  
JR 12-15-86  
CLERK DATE  
C 142-147600-004 215-11

LIBER 4254 PAGE 204

This Deed, Made this

in the year one thousand nine hundred and

of the second part.

Witnesseth, that in consideration of the sum of

the said

do grant and convey unto the said

heirs and assigns, in fee simple, all

Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

Beginning for the

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and described as follows, that is to say:

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Beginning for the

of ground, situate, lying and being in

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Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

Beginning for the

of ground, situate, lying and being in

and described as follows, that is to say:

THE TITLE GUARANTEE COMPANY

(Individual Form)

App. H-79291

LIBER 5334 PAGE 195

This Deed, Made this

thousand nine hundred and seventy-three, by and between DONALD B. HEBB and MATHILDE M. HEBB, his wife, parties of the first part, Grantors, and JULIA C. BAKER, party of the second part, Grantee.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the

said Grantee, her heirs and assigns, in fee simple, all that

situate in the Fifth Election District of Baltimore County,

in the State of Maryland, and described as follows, that is to say: a survey prepared by C.A. Myers, Registered Surveyors, dated January 8, 1973, described as follows, that is to say:

Beginning for the same at a point in or near the centerline of the present road-bed of Falls Road at the end of the North 42 degrees 23 minutes 02 seconds West 494.19 foot line as described in a Deed from Josef M. Gardiner, divorced, to Donald B. Hebb and wife, dated January 14, 1964, and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4254, folio 204, etc., thence binding on that Deed and running in or near the center of Falls Road the six following lines as now surveyed, North 43 degrees 10 minutes 37 seconds West 225.00 feet, thence by a curve with a radius of 2814.20 feet, an arc of 349.50 feet, an arc of 353.50 feet and a chord of North 63 degrees 35 minutes 37 seconds West 350.37 feet, thence North 76 degrees 53 minutes 37 seconds West 76.50 feet, and thence by a curve with a radius of 895.30 feet, an arc of 312.80 feet and a chord of North 66 degrees 53 minutes 07 seconds West 311.22 feet, thence leaving the center of Falls Road and still binding on the aforementioned Deed the seven following lines, North 08 degrees 43 minutes 15 seconds West 766.21 feet to a stone, South 52 degrees 37 minutes 26 seconds East 634.74 feet to a stone, North 08 degrees 22 minutes 30 seconds East 68.00 feet, North 41 degrees 07 minutes 30 seconds East 331.00 feet to a pipe, South 31 degrees 57 minutes 30 seconds East 406.00 feet to a pipe and North 07 degrees 34 minutes East 320.57 feet to a pipe, thence by eight lines of a division as now surveyed, South 57 degrees 28 minutes 50 seconds East 597.38 feet to a pipe, South 20 degrees 35 minutes 45 seconds East 1399.54 feet to a pipe, South 40 degrees 33 minutes 20 seconds West 175.92 feet to a pipe, South 36 degrees 52 minutes 50 seconds West 77.90 feet to a pipe, South 73 degrees 59 minutes West 299.77 feet to a pipe, South 15 degrees West 457.65 feet to a pipe and South 52 degrees 38 minutes 30 seconds West 655.42 feet to a point in or near the center of Falls Road and to intersect the first above mentioned Deed line, thence binding on that Deed and running in the center of said road, North 42 degrees 23 minutes 02 seconds West 10.23 feet to the place of beginning, containing one hundred and eleven acres and two hundred and eighty thousandths of an acre (111.280) of land, more or less.

BEING a part of the same land described in a Deed from Josef M. Gardiner, divorced, to Donald B. Hebb and Mathilde M. Hebb, his wife, dated January 14, 1963 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4254, folio 204, etc.

TO HAVE AND TO HOLD the said described property unto and to the use of said Grantee, her heirs, personal representatives and assigns, in fee simple.

AND the said Grantor covenants to warrant specially

TRANSFER TAX NOT REQUIRED

AGRICULTURAL TRANSFER TAX NOT APPLICABLE

SIGNATURE DATE

STATE DEPARTMENT OF ASSESSMENTS & TAXATION

CLERK DATE

C 142-147600-004 215-11

LIBER 6359 PAGE 206

DEED

STATE DEPARTMENT OF ASSESSMENTS & TAXATION

1482

DATE

THIS DEED, made this 1st day of January 1982, by and between DONALD B. HEBB, party of the first part ("Grantor"), and MATHILDE M. HEBB, party of the second part ("Grantee").

WHEREAS, Grantor and Grantee are the owners, as tenants by the entireties, of certain properties located in Baltimore County, Maryland, more fully described in Exhibit A attached hereto as a part hereof;

WHEREAS, Grantor desires to convey unto Grantee for no actual consideration all of Grantor's right, title and interest in said properties, to the purpose and effect that Grantee shall be the sole owner of said properties, free and clear of any right, title, interest or claim of Grantor therein.

NOW, THEREFORE, THIS DEED WITNESSETH THAT, for and in consideration of the premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, convey and assign unto Grantee, her heirs, personal representatives and assigns, in fee simple, all of Grantor's right, title and interest in and to the properties described in Exhibit A attached hereto as a part hereof.

TOGETHER WITH the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in

TO HAVE AND TO HOLD the said described property unto and to the use of said Grantee, her heirs, personal representatives and assigns, in fee simple.

AND the said Grantor covenants to warrant specially

TRANSFER TAX NOT REQUIRED

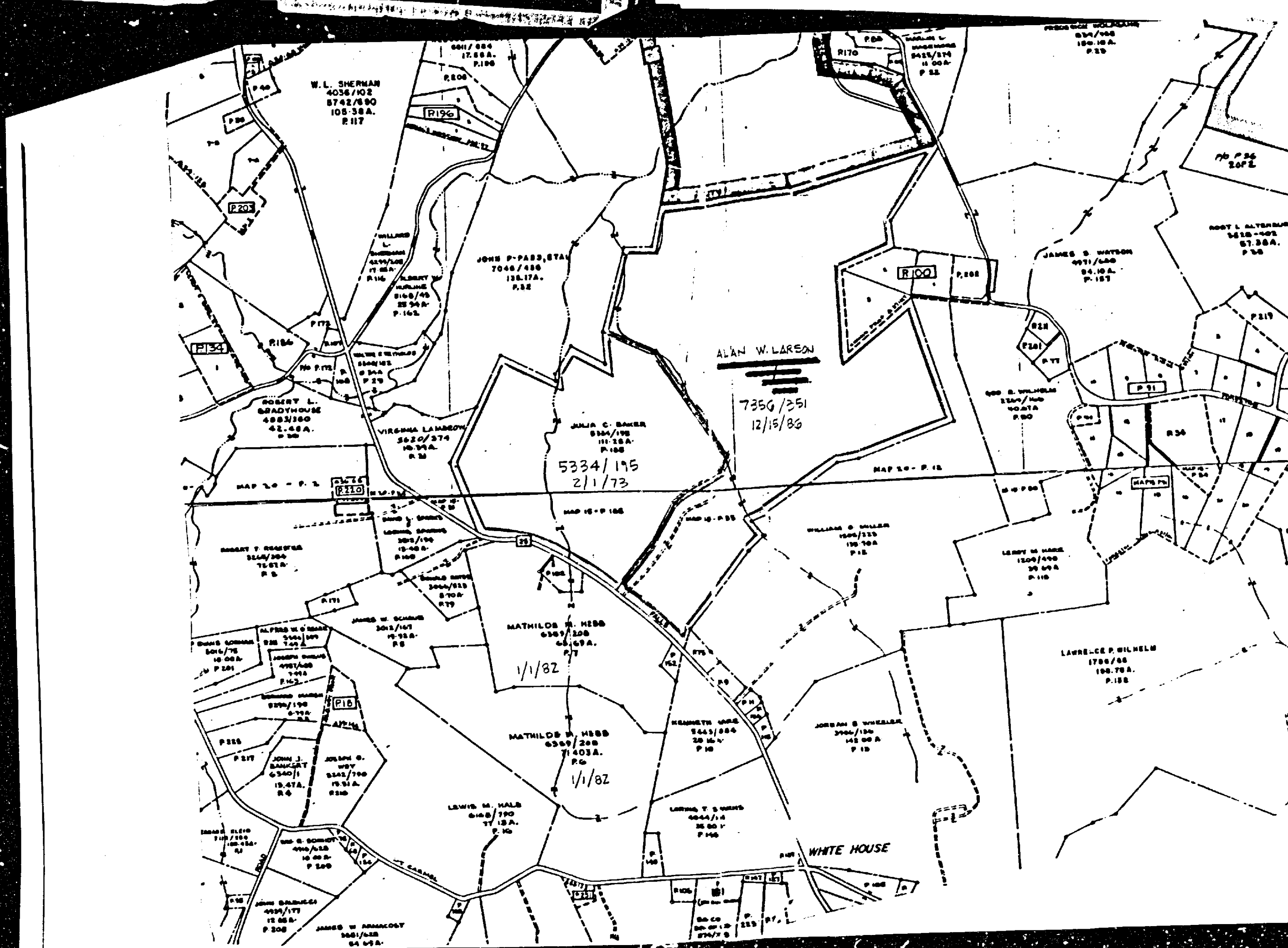
AGRICULTURAL TRANSFER TAX NOT APPLICABLE

SIGNATURE DATE

STATE DEPARTMENT OF ASSESSMENTS & TAXATION

CLERK DATE

C 142-147600-004 215-11



03-478-6714

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
5th day of April, 1981.

J. Robert Haines  
ZONING COMMISSIONER

Petitioner Alan W. Larson Received by: James E. Power  
Petitioner's Attorney John P. Power Chairman, Zoning Plans Advisory Committee

STATE DEPARTMENT OF ASSESSMENTS & TAXATION

CLERK DATE

C 142-147600-004 215-11



# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 4, 1989

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No. 274, Case No. 89-478-SPHA  
Petitioner: Alan W. Larson  
Petition for Zoning Variance and Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WIMIASKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 807-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

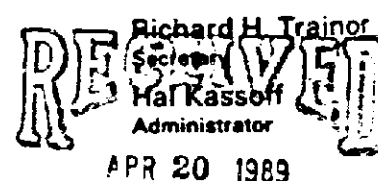
JED:jw

Enclosures

cc: Mr. Alan W. Larson  
17625 Falls Road  
Upperco, MD 21155



Maryland Department of Transportation  
State Highway Administration



April 17, 1989 ZONING OFFICE

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Baltimore County  
Larson Property  
Zoning Meeting of 4-4-89  
E/S Falls Road (MD 25)  
2400' North of Mt.  
Carmel Road  
(Item #274)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the sub'tial for a special hearing to approve the non-density transfer and combination of approximately 14 acres of RC-2 zoned property with approximately 6 acres of RC-4 zoned property as one lot, we have the following comment.

We find this plan acceptable showing a future 80' right of way on Falls Road.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

*Creston J. Mills, Jr.*  
Creston J. Mills, Jr., Chief  
Engineering Access Permits  
Division

LB:maw

cc: McKee & Assoc., Inc.  
Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-432-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: May 23, 1989

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-478 SPHA  
Item No. 274

Re: Alan W. Larson, James R. McDonald

The Petitioner request a special hearing to approve the non-density transfer and combination of 14 acres of RC 2 zoned land with 6 acres of RC 4 zoned land as one lot, and a variance to allow existing accessory structures over 15 feet in height and to allow an accessory structure to remain in the side yard in lieu of the required rear yard. In reference to this request, staff offers the following comments:

The northern portion of the Larson Property, identified here as Parcel Two, was the subject of a CR meeting in which 18 residential lots were approved on 75 acres. (See file V-1889). In connection with the CRG, a density plat was recorded (59/137) to establish the number of lots permitted on the overall 207 acre tract. A total of 20 lots are permitted on the entire RC 4 zoned land and a total of 4 lots are permitted on the entire RC 2 zoned land - 2 lots west of the stream adjacent to Falls Road and 2 lots east of the stream. It is from the portion east of the stream which the petitioners propose to incorporate 14 acres, more or less, onto a 6 acre parcel zoned RC 4 without utilizing the density that would otherwise transfer with the land.

This office has concerns about the request proposed here. It is not clear that there is any benefit to agriculture by creating this additional parcel. Section 1A00.5 is clear in allowing the density to be calculated for each zone when a tract is divided by a zone boundary, and it is questionable whether this proposal complies with the spirit and intent of Sections 1A01.1 A and B, and Section 1A01.3.B.1, Baltimore County Zoning Regulations, with respect to permitting an additional building lot in the RC 2 zoned land.

A:52389.txt Pg.2

Re: Alan W. Larson, James R. McDonald  
Page 2  
May 23, 1989

Any subdivision of the RC 2 zoned land should be done in a manner which best protects the agricultural value of the land.

The following recommendations should be considered:

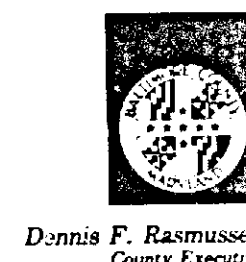
- dwelling and lots will be located in a manner to permit the maximum retention of agricultural value to the remainder of the property;
- wherever possible dwelling should not be located on actively farmed land or prime or productive soils;
- maximum lot size should be three acres but still subject to one dwelling per 50 acres maximum density per parcel;
- building setbacks should be a minimum of 100' from a lot line, which borders farmland in prime or productive soils;
- dwellings should be located along existing roads unless use of a panhandle is necessary to comply with a, or b, listed above; and
- lots located along existing roads should provide, when possible and when not in conflict with the other standards, for common access to reduce road cuts.

It is recommended that the petitioner meet with Paul Solomon, the Agricultural Preservation Coordinator, to develop a plan that provides clarification as to whether this request meets the intent of Section 1A01.1.A.

a:52389.txt Pg.3

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(801) 887-3554

April 25, 1989



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

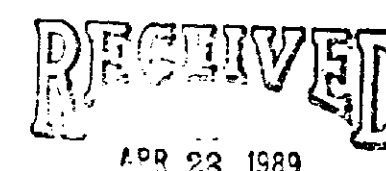
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 274, 359, 383, 384, 389, 393, 394, 395, 396, 397, and 398.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/lw



ZONING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4300

Paul H. Reincke  
Chief

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



Re: Property Owner: Alan W. Larson.

Location: SES Falls Road #17625 Falls Road.

Item No.: 274

Zoning Agenda: April 4, 1989

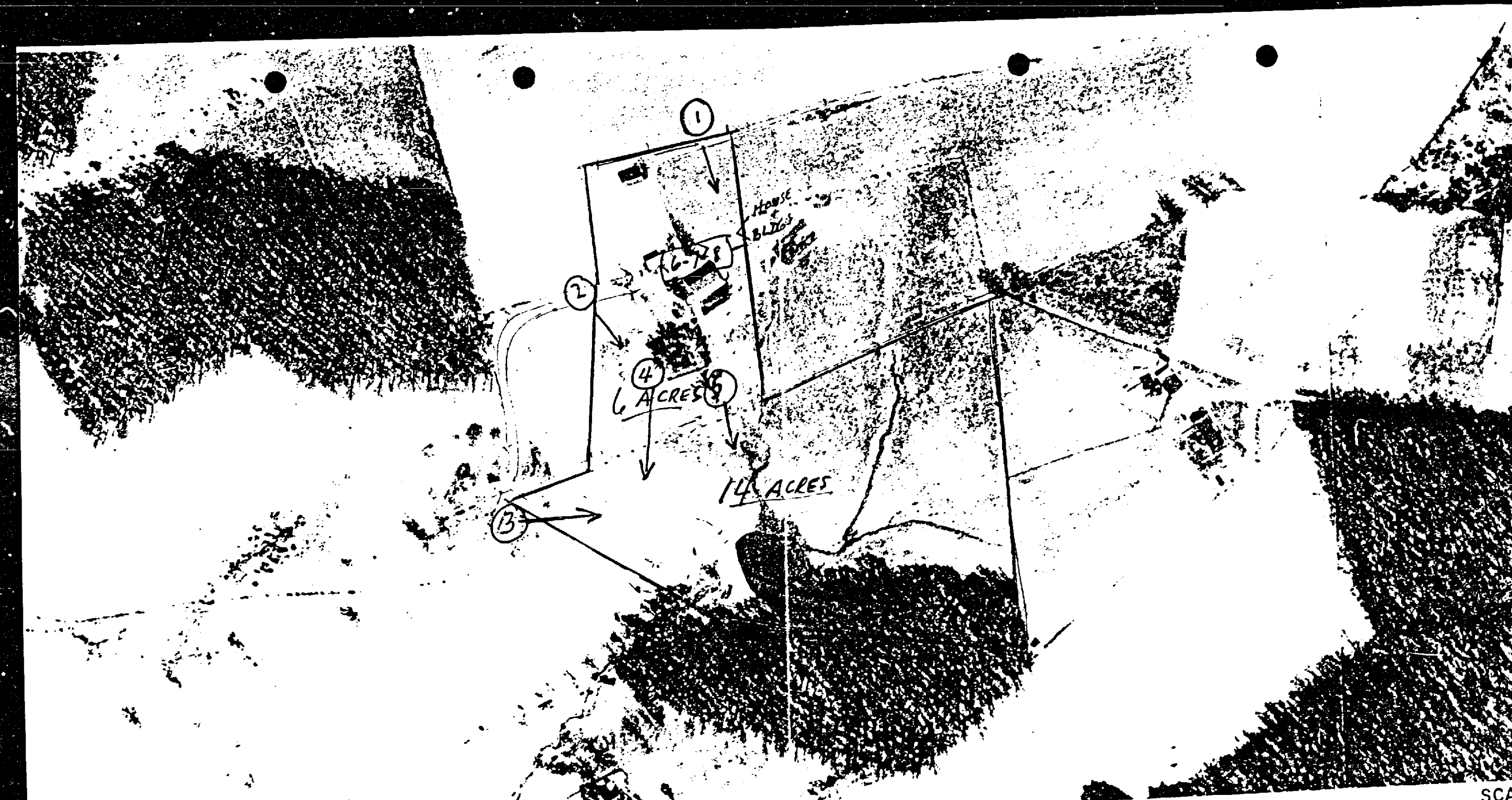
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 7-31-89 Noted and Approved: *Carl William Brady*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE

1" = 20'

DATE  
OF  
PHOTOGRAPH  
JANUARY  
1988

*Rehner's Exhibit*



J. Robert Haines  
Zoning Commissioner

October 4, 1988



Dennis F. Raamussen  
County Executive

Mr. James D. Grammer, Project Manager  
McKee & Associates, Inc.  
Shawen Place  
5 Shawen Road  
Hunt Valley, Maryland 21030

RE: Subdivision and a  
Non density transfer  
The Larson Property  
5th of 6th Election District

Dear Mr. Grammer:

A review of the 208 acre property as shown on the submitted plat titled "Sketch Plan for Larson Property" indicates that a Special Hearing for a non-density transfer would be required to allow the proposed subdivision of Parcel 2.

Enclosed with this letter is a copy of RSD-8 and A-17, both excerpts from the Zoning Policy Manual dealing with this type of subdivision and helpful in understanding zoning requirements. In addition, enclosed is a copy of the petition procedural steps which should also assist you in your request for a public hearing.

Should you need further assistance, please do not hesitate to contact me at 494-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Zoning Supervisor

*John L. Lewis*  
JOHN L. LEWIS  
Planning & Zoning Associate II

JLL/cer

A-17 RURAL ACCESSORY USES  
Reference S. 400, 101, 404.2  
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: March 30, 1989

TO: Paul Solomon  
Department of Environmental Protection  
and Resource Management

FROM: Mr. J. Robert Haines, Zoning Commissioner  
111 W. Chesapeake Ave., Towson, Maryland

SUBJECT: REDUCED ACREAGE FARM

Election District: 5 Phone: 337-5500  
Owner: James R. McDonald Tax Account Number: 610009532  
Address: 17625 Falls Road  
Upperco, Maryland 21155

Pursuant to the Zoning Commissioner's policy A-17, this office is officially requesting verification of the legitimacy of a farm use to continue on the reduced acreage on the referenced property. In the judgement of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

1. the signed and notarized tenant affidavit
2. the deed to the property
3. the state tax map for that area

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REDUCED ACREAGE

☒ Yes ☐ No ☐ Comment

Signed: *Paul D. Solomon*  
Representative of the Agricultural  
Land Preservation Board for  
Baltimore County

Date: 5/17/89

*Pethonels Exhibit 2*

Re: Case #89-478-SPHA  
17625 Falls Road-Upperco, Maryland 21155  
5th Election District-3rd Councilmanic

We, the undersigned, have reviewed with James R. & Joan F. McDonald their request to the Zoning Commissioner of Baltimore County for a non-density transfer and combination of approximately 14 acres of RC-2 zoned property with approximately 6 acres of RC-4 zoned property, as one lot.

As owners of property contiguous to the above 20 acre parcel, we strongly urge the Zoning Commissioner to approve this request, since it provides a continued and viable use of the farm, while maintaining the agricultural integrity of the area.

NAME

ADDRESS

*Edmund Haines* 17625 FOREST RD  
*Nazareth Haines* 17958 FOREST RD  
*Bruce A. Lantieri* 18002 Forest Rd  
*Laura J. Lantieri* 18002 Forest Rd  
*Joseph M. Macell* 17958 Forest Rd  
*Mary Anne Macell* 17958 Forest Rd  
*Elaine M. Macell* 17958 Forest Rd  
*James E. Macell* 17958 Forest Rd

75 ACRES  
PARCEL-NORTH

*Pethonels Exhibit 5*

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS

DATE: 1/20/89

FROM: ZONING OFFICE

PROJECT NAME: Larson Property  
(Parcel #2 + 18 ac. of Parcel #1)

PLAN: 12/22/88

REV.:

LOCATION: NE/S Falls Road,  
N of Mt. Carmel Road and  
SW/S Foreston Road

REVISED PLAN KEY:

- (X) COMPLIANCE WITH COMMENT CHECKED
- (O) NON-COMPLIANCE IS CIRCLED
- (BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)

DISTRICT: 5c3

ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

1. The zoning office cannot review the partial property plan as submitted (that includes all of the proposed Parcel #2 and 18 acres of the proposed Parcel #1) without a revised "overall Larson Property" plan. Regardless of any separate pending sales of portions of the property, an overall C.R.G. plan must be reviewed to determine compliance with the Baltimore County Zoning Regulations. Overall, complete density calculations, separate by zone and parcel, and all proposed land divisions and isolated zone parcels must be identified with the proposed acreage, dimensions, and lot or parcel number. The correct zoning lines must be shown on the plan as per the 1"=200' zoning map. A cover letter should be addressed to the Zoning Commissioner outlining the history.
2. A separate zoning density and subdivision history plan of the Larson/Hebb property must be prepared and submitted to this office for review including the following information:
  - A. To properly identify the parcels, a property plat should be prepared in listing and color coding each parcel according to the description in the deed since 11/25/79. The deeds must be submitted and the deed descriptions color coded to match the plan. The current zoning as per the 1"=200' zoning maps must also be shown.
  - B. The plats, deeds, and other supporting documentation should be prepared and certified by either a land surveyor, registered professional engineer or title attorney. A cover letter should be addressed to the Zoning Commissioner outlining the history.
3. This 93 acre C.R.G. plan includes approximately 18 acres of a proposed Parcel #1 apparently shown on a proposed density plan and as shown on a recently filed zoning hearing plan for James R. McDonald, contract purchaser of Parcel #1 (131 acres). On 1/3/89, a zoning petition was filed in the zoning office under Item #274 for a special hearing for a non-density transfer and combination of approximately 14 acres of RC-2 zoned property with approximately 6 acres of RC-4 zoned property as one lot. The plan and petition must be revised but clearly the request does not agree with the outline of the C.R.G. plan.

COUNTY REVIEW GROUP COMMENTS  
PROJECT NAME: Larson Property  
DATE: 1/20/89  
PAGE 2

4. The following conflicts and questions must be resolved and answered prior to a definitive zoning review and all resolved prior to any zoning approvals:
  - A. What are the proposed contract ownership lines?
  - B. Do the proposed contract ownership divisions correspond to the proposed 75.6 ac. Parcel #2 and 131.5 acre Parcel #1 as shown on the zoning hearing plan?
  - C. If the developer of the C.R.G. plan is the contract purchaser of the 93 acres as indicated on the plan, then why is only 87 acres included in the tract boundary?
  - D. If, as noted, 3 R.C.-4 dwelling units are proposed to be "transferred" to the 75 ac. (Parcel #2) from the 131 ac. (Parcel #1), what is the purpose of including the southern portion of Lot #13 (11.7 acres) on the C.R.G. plan. Density accumulation or utilization not "transfer" within one contiguous R.C. zone is permitted only as part of an overall property plan review and approved process which is not to be replaced by the separate recording of a density plat without zoning approval and the submission of a C.R.G. plan for only a portion of the property.
  - E. The ownership, contract purchasers, engineers, density plan, zoning hearing plan and C.R.G. plan should all agree so that an informed review of the overall property can be made.

Include the use, size, height, front orientation, and setbacks to any new anticipated subdivision lines of all buildings to remain on the Larson Property. Dwellings to remain must be included in the density calculations and all other buildings must either:

- A. meet S.400 Baltimore County Zoning Regulations or
- B. be removed or
- C. be brought into compliance via a zoning hearing or
- D. the proposed lot on which they are located must be justified as a continuing reduced acreage farm. See zoning policy A-17 and 10/4/88 letter from John Lewis (both attached).

Clarify the in-fee access for Lots #9-13 within the access strip (Note #24), see zoning policy MM-1A (attached); include the required, scaled 100' street centerline setbacks; include dwelling front directional arrows on Lots #8-13 and #15 and correct Note #23.

Zoning C.R.G. approval is contingent upon the resolution of comments 1-4 and final zoning approval is contingent upon the resolution of comments 5 and 6, any additional conflicts identified in further review and the outcome of any required zoning hearings.

*W. Carl Richards, Jr.*  
W. CARL RICHARDS, JR.  
Zoning Coordinator

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS  
FROM: ZONING OFFICE

DATE: 1/20/89

PROJECT NAME: Larson Property  
(Parcel #2 + 18 ac. of Parcel #1)

PLAN: 12/22/88

REV.:

LOCATION: NE/S Falls Road,  
N of Mt. Carmel Road and  
SW/S Foreston Road

REVISED PLAN KEY:  
(X) COMPLIANCE WITH COMMENT CHECKED  
(O) NON-COMPLIANCE IS CIRCLED  
(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)

DISTRICT: 5c3

Zoning C.R.G. approval is given subject to the inclusion of a 2nd sheet in the C.R.G. plan detailing the underlined comments in Note #1 and with the strict understanding that all comments, additional conflicts identified in further review, and any required zoning hearings be resolved prior to final zoning approval.

1. The zoning office cannot review the partial property plan as submitted (that includes all of the proposed Parcel #2 and 18 acres of the proposed Parcel #1) without a revised "overall Larson Property" plan. Regardless of any separate pending sales of portions of the property, an overall C.R.G. plan must be reviewed to determine compliance with the Baltimore County Zoning Regulations. Overall, complete density calculations, separate by zone and parcel, and all proposed land divisions and isolated zone parcels must be identified with the proposed acreage, dimensions, and lot or parcel number. The correct zoning lines must be shown on the plan as per the 1"=200' zoning map. A cover letter should be addressed to the Zoning Commissioner outlining the history.

2. A separate zoning density and subdivision history plan of the Larson/Hebb property must be prepared and submitted to this office for review including the following information:

- A. To properly identify the parcels, a property plat should be prepared in listing and color coding each parcel according to the description in the deed since 11/25/79. The deeds must be submitted and the deed descriptions color coded to match the plan. The current zoning as per the 1"=200' zoning maps must also be shown.

COUNTY REVIEW GROUP COMMENTS  
PROJECT NAME: Larson Property  
DATE: 1/20/89  
PAGE 2

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4. The following conflicts and questions must be resolved and answered prior to a definitive zoning review and all resolved prior to any zoning approvals:

- A. What are the proposed contract ownership lines?
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- D. If, as noted, 3 R.C.-4 dwelling units are proposed to be "transferred" to the 75 ac. (Parcel #2) from the 131 ac. (Parcel #1), what is the purpose of including the southern portion of Lot #13 (11.7 acres) on the C.R.G. plan.
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BA The ownership, contract purchasers, engineers, density plan, zoning hearing plan and C.R.G. plan should all agree so that an informed review of the overall property can be made.

COUNTY REVIEW GROUP COMMENTS  
PROJECT NAME: Larson Property  
DATE: 1/20/89  
PAGE 3

5. Include the use, size, height, front orientation, and setbacks to any new anticipated subdivision lines of all buildings to remain on the Larson Property. Dwellings to remain must be included in the density calculations and all other buildings must either:

- A. meet S.400 Baltimore County Zoning Regulations or
- B. be removed or
- C. be brought into compliance via a zoning hearing or
- D. the proposed lot on which they are located must be justified as a continuing reduced acreage farm. See zoning policy A-17 and 10/4/88 letter from John Lewis (both attached).

Clarify the in-fee access for Lots #9-13 within the access strip (Note #24), see zoning policy MM-1A (attached); include the required, scaled 100' street centerline setbacks; include dwelling front directional arrows on Lots #8-13 and #15 and correct Note #23.

Zoning C.R.G. approval is contingent upon the resolution of comments 1-4 and final zoning approval is contingent upon the resolution of comments 5 and 6, any additional conflicts identified in further review and the outcome of any required zoning hearings. SEE OPENING STATEMENT.

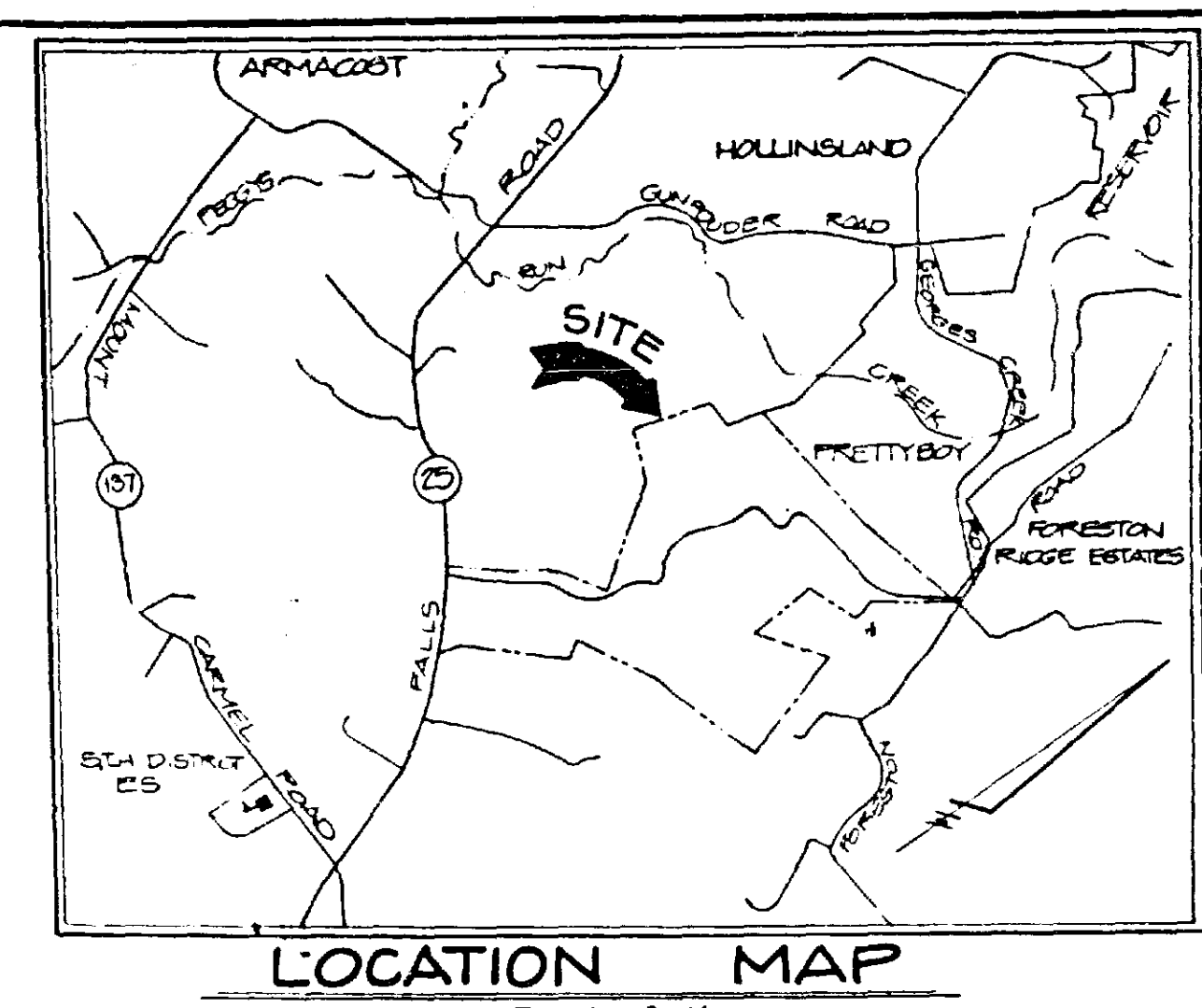
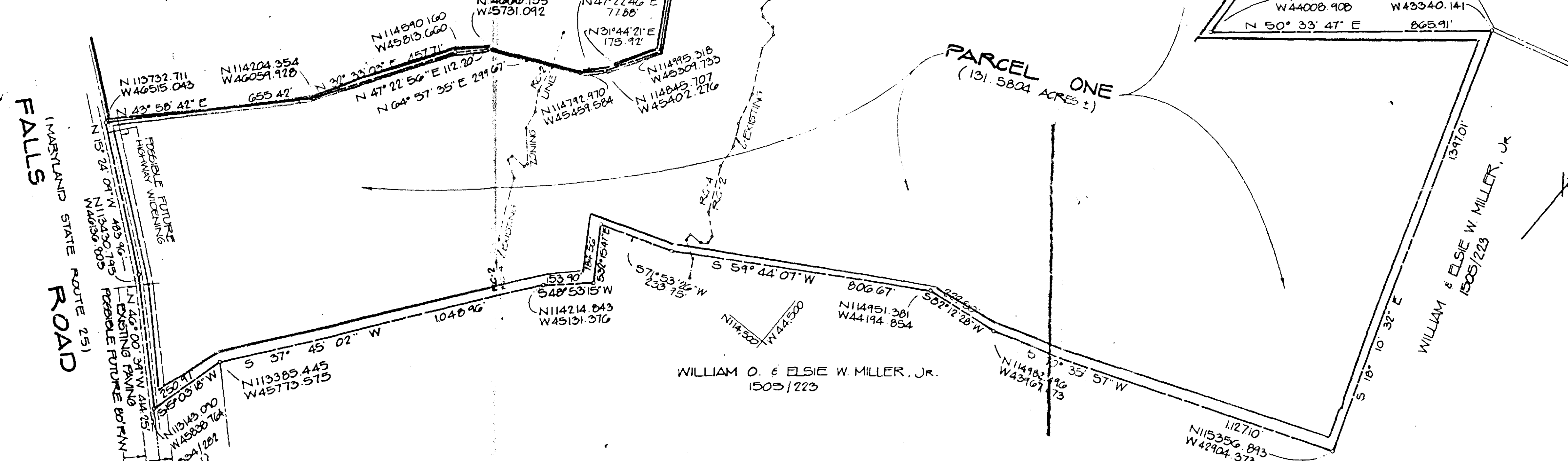
*W. Carl Richards, Jr.*  
W. CARL RICHARDS, JR.  
Zoning Coordinator

JLL/scj



1. RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ASSUREMENT BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-68 BILL NO. 56-82.
3. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTO. CO.
4. INFORMATION SHOWN MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.
5. ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING & ZONING OR THE DEPT. OF PUBLIC WORKS.
6. HIGHWAY & HIGHWAY WIDENING, SLOPE EASEMENTS, AND DRAINAGE & UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR CONVEYANCE TO BALTO. CO. MD. THE OWNER, HIS PERSONAL REPRESENTATIVES, AND ASSIGNS SHALL CONVEY SAID AREAS, BY DEED, UNTO BALTO. CO., MD. AT NO COST.
7. THE APPROVAL AND RECORDATION OF THIS PLAT IS BASED UPON THE EXISTING ZONING AT THE TIME OF RECORDING. THE NUMBER OF DENSITY UNITS INDICATED HEREON MAY BE SUBJECT TO CHANGE DEPENDING UPON:
  - a) FUTURE CHANGES IN THE PROPERTY'S ZONING CLASSIFICATION.
  - b) THE NUMBER OF UNITS APPROVED BY THE COUNTY REVIEW GROUP FOR DEVELOPMENT PURPOSES, EXCLUSIVE OF THE DENSITY CALCULATIONS.
8. HOUSE NUMBERS WILL BE ISSUED AS FUTURE DEVELOPMENT OCCURS.
9. STORM WATER MANAGEMENT SHALL BE ADDRESSED PRIOR TO ANY DEVELOPMENT OF EITHER PARCEL ONE OR PARCEL TWO.

EXISTING ZONING OF SITE	RC-2 & RC-4
GROSS AREA OF SITE	207,217 AC.
GROSS AREA OF RC-4	100,455.0 AC.
GROSS AREA OF RC-2	106,766.7 AC.
<u>PARCEL ONE</u>	
GROSS AREA	131,580.4 AC.
TOTAL RC-4 AREA	25,242.5 AC.
NO. RC-4 LOTS ALLOWED	25,242.5 / 20 = 1
NO. RC-4 LOTS PROPOSED	2 (UNDER)
TOTAL RC-2 AREA	106,337.9 AC.
NO. RC-2 LOTS ALLOWED	4
NO. RC-2 LOTS PROPOSED	1
<u>PARCEL TWO</u>	
GROSS AREA	75,641.3 AC.
TOTAL RC-4 AREA	75,212.5 AC.
NO. RC-4 LOTS ALLOWED	75,212.5 / 20 = 3
NO. RC-4 LOTS PROPOSED	18 (OVER)
TOTAL RC-2 AREA	0.4288 AC.
NO. RC-2 LOTS ALLOWED	0
NO. RC-2 LOTS PROPOSED	0
<u>TOTAL LOTS</u>	
ALLOWED RC-4 (100,455.0 / 20) = 20 LOTS	
PROPOSED: PARCEL ONE	2 LOTS
PARCEL TWO	18 LOTS
	<u>20 LOTS</u>
ALLOWED RC-2	4 LOTS
PROPOSED RC-2	4 LOTS



5TH ELECTION DISTRICT  
SCALE : 1" = 200'

BALTIMORE CO. MD  
DECEMBER 2, 1980

FILED for record  
 S.M. 19 FOLIO 137  
 Dtd: FEB 13 1989  
 Tes  
*Signature*  
 Clerk

DEED REFERENCE : S.M. 7356/351  
 PROPERTY ACCT. No. : 03-03-030559


The streets and/or roads shown hereon and the mention thereof in deeds are for the purposes of description only, and the same are not intended to be dedicated to public use. The fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this Plat is attached, their heirs and assigns.


Coordinates and bearings shown on this Plat are referred to the system of coordinates established in the Baltimore County Metropolitan District, and are based on the following traverse stations;

1.) HUB NO. 14578	N 110° 07' 24" E	W 44° 22' 28" E
2.) HUB NO. 14579	N 110° 05' 17" E	W 44° 21' 00" E

## SURVEYOR'S CERTIFICATION

The undersigned, a Registered Land Surveyor of the State of Maryland, does hereby certify that he is the surveyor who prepared this Plat and that the land shown hereon has been laid out and the Plat thereof has been prepared in compliance with Subsection (C) Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of Plat and marker setting.

  
\_\_\_\_\_  
James W. McKee

  
\_\_\_\_\_  
Date

OWNER'S CERTIFICATION

The undersigned, owner of the land shown hereon, hereby certifies that to the best of his knowledge, the requirements of Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland has been complied with, as same concerns the making of the Plat and setting of markers

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

OWNER

ALAN W. LARSON  
17625 FALLS ROAD  
UPPER MERIDEN, CT. 06455  
PHONE: (203) 374-5929

APPROVED: DIRECTOR OF  
ENVIRONMENTAL PROTECTION AND  
RESOURCE MANAGEMENT.

Robert W. Sheehan 1-22-89  
DATE

APPROVED:  
BALTIMORE COUNTY OFFICE OF  
PLANNING & ZONING.  
*Harry C. Jones* 1/30/59  
per DIRECTOR DATE

APPROVED:  
DEPARTMENT OF PUBLIC WORKS.  
*James M. [illegible]* 1/30/59  
DATE

# McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

(301) 527-1555

PWA. COMPLETED: <u>None SDU</u>	COMPUTED BY: <u>MR. WZ.</u>
FINAL PLAT CHECKED: <u>WZ</u>	DRAWN BY: <u>JOK</u>
PLANNING: <u>WZ</u>	CHECKED BY: <u>JDG</u>
ENGINEERING: <u>WZ</u> <u>1/10/85</u> <u>BLT</u>	JOB NUMBER: <u>80-17</u>
HOUSE NUMBERS: <u>BLTZ 2-2-19</u>	

69-137

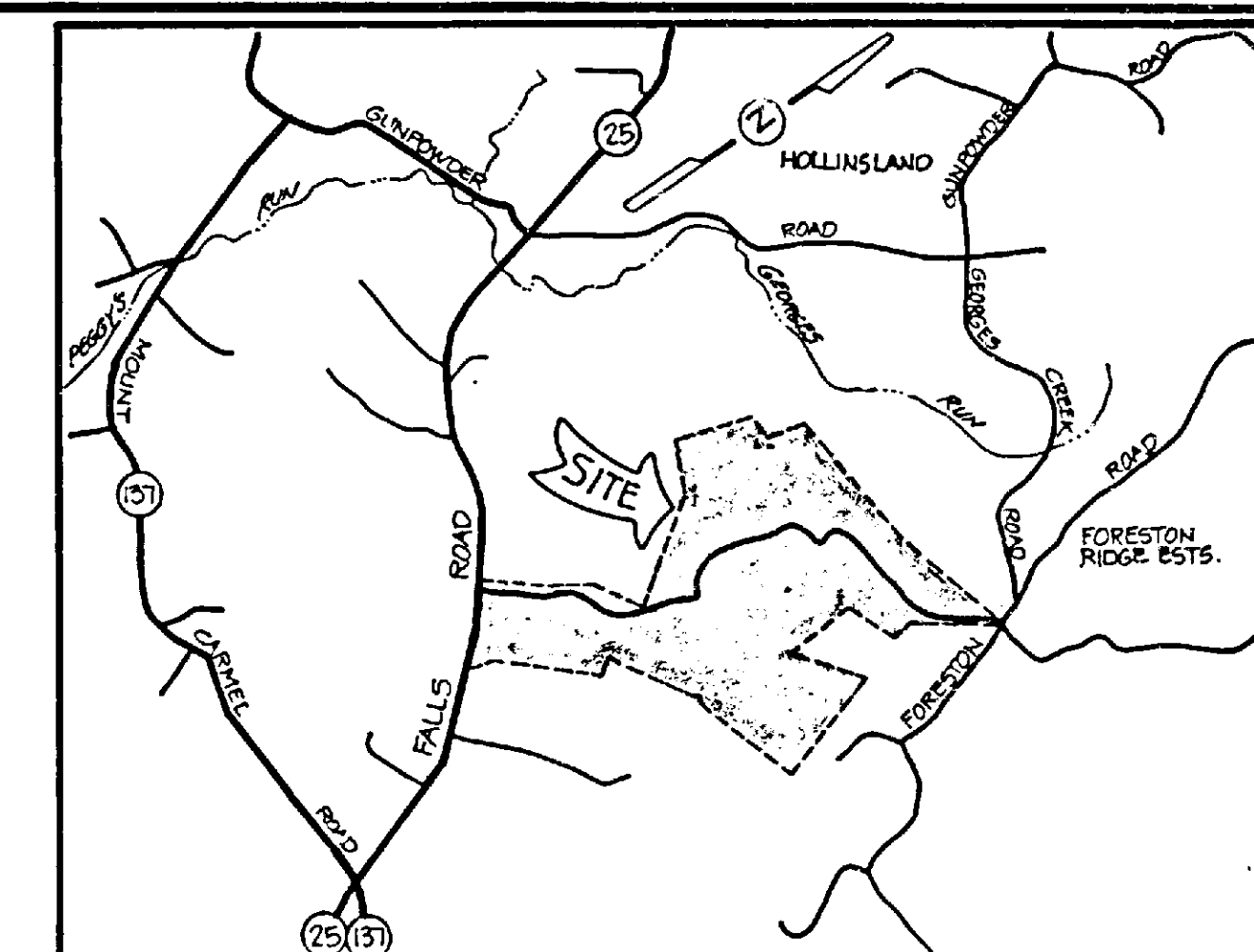
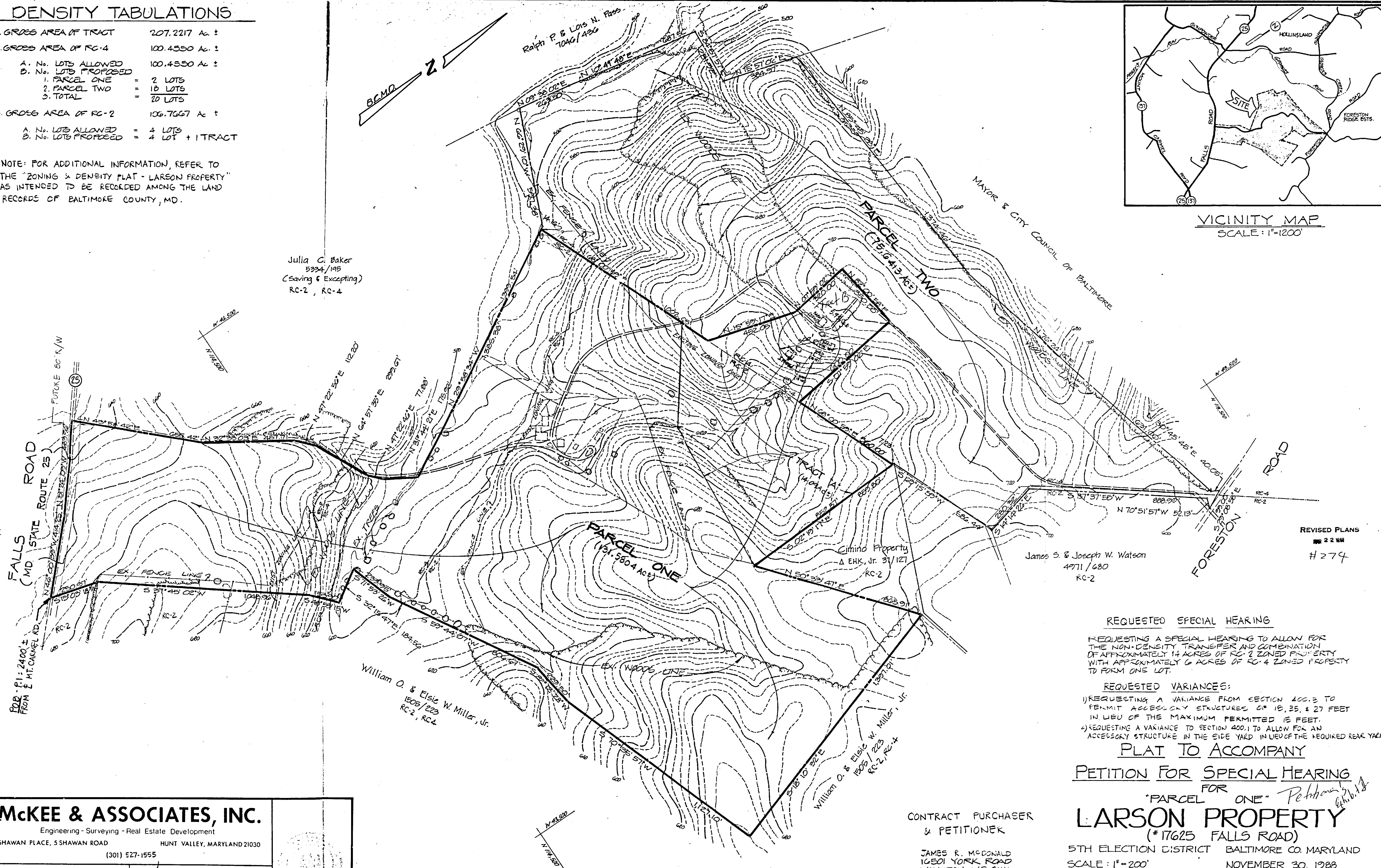


# DENSITY TABULATIONS

1. GROSS AREA OF TRACT	207.2217 Ac. ±
2. GROSS AREA OF RC-4	100.4550 Ac. ±
A. No. LOTS ALLOWED	100.4550 Ac. ±
B. No. LOTS PROPOSED	
1. PARCEL ONE	= 2 LOTS
2. PARCEL TWO	= 10 LOTS
3. TOTAL	= 20 LOTS
3. GROSS AREA OF RC-2	106.7667 Ac. ±
A. No. LOTS ALLOWED	= 4 LOTS
B. No. LOTS PROPOSED	= 4 LOT + 1 TRACT

NOTE: FOR ADDITIONAL INFORMATION, REFER TO THE "ZONING & DENSITY PLAT - LARSON PROPERTY" AS INTENDED TO BE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MD.

Julia C. Baker  
5334/145  
(Saving & Excepting)  
RC-2, RC-4



VICINITY MAP  
SCALE: 1"=1200'

REVISED PLANS  
# 22 W

# 274

## REQUESTED SPECIAL HEARING

REQUESTING A SPECIAL HEARING TO ALLOW FOR THE NON-DENSITY TRANSFER AND COMBINATION OF APPROXIMATELY 14 ACRES OF RC-2 ZONED PROPERTY WITH APPROXIMATELY 6 ACRES OF RC-4 ZONED PROPERTY TO FORM ONE LOT.

## REQUESTED VARIANCES:

- 1) REQUESTING A VARIANCE FROM SECTION 400.2 TO PERMIT ACCESSORY STRUCTURES OF 10, 25, & 27 FEET IN LIEU OF THE MAXIMUM PERMITTED 15 FEET.
- 2) REQUESTING A VARIANCE TO SECTION 400.1 TO ALLOW FOR AN ACCESSORY STRUCTURE IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

## PLAT TO ACCOMPANY

## PETITION FOR SPECIAL HEARING

FOR "PARCEL ONE" *Petition by G.H.B. 1/8*

## LARSON PROPERTY

(\*17625 FALLS ROAD)

5TH ELECTION DISTRICT BALTIMORE CO. MARYLAND

SCALE: 1"=200'

NOVEMBER 30, 1988

REVISED 3/1/89 TO SHOW ACCESSORY STRUCTURE HGTS (F.I.)

DEED REFERENCE: 7356/351

\*REV. 3/1/89 TO SHOW REQUESTED VARIANCE.

\*REV. 3/1/89 TO SHOW VARIANCE NO. 2.

CONTRACT PURCHASER  
& PETITIONER

JAMES R. McDONALD  
16501 YORK ROAD  
MONKTON, MD. 21111

## McKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development  
SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030  
(301) 527-1555

Computed by: MR. W.  
Drawn by: DTM. J.  
Checked by: J.G.  
Job Number: 88-97

*J.W. McKee* 12/30/88  
James W. McKee Date  
(Maryland Registered No 9012)